



In the Matter Of:

Anderson  
v.  
General Motors Corporation

C.A. # 05-877 JJF

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Transcript of:

Roland C. Anderson

October 24, 2007

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## Anderson v. General Motors Corporation

<p style="text-align: center;">IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE</p> <p>ROLAND C. ANDERSON, ) Plaintiff, ) v. ) Civil Action  ) No. 05-877 JJF GENERAL MOTORS CORPORATION, ) Defendant. )</p> <p>Deposition of ROLAND C. ANDERSON taken pursuant to notice at the law offices of Eckert, Seamans, Cherin &amp; Mellott, LLC, 300 Delaware Avenue, Suite 1210, Wilmington, Delaware, beginning at 9:20 a.m. on Wednesday, October 24, 2007, before Eleanor J. Schwandt, Registered Merit Reporter and Notary Public.</p> <p>APPEARANCES:</p> <p>ROLAND C. ANDERSON, Pro Se</p> <p>MICHAEL A. WILLIAMS, ESQ. LATHROP &amp; GAGE, L.C. 2345 Grand Boulevard - Suite 2800 Kansas City, Missouri 64108-2612 for the Defendant</p> <p>ALSO PRESENT:</p> <p>DIANE GRAHAM, General Motors Corporation People Systems Manager</p> <p>WILCOX &amp; FETZER 1330 King Street - Wilmington, Delaware 19801 (302) 655-0477 www.wilfet.com</p>	<p style="text-align: right;">Page 1</p> <p>1 A. 221-38-0898.</p> <p>2 Q. Now, have you ever been known as any other names</p> <p>3 other than Roland Anderson?</p> <p>4 A. Roland Anderson. You can put C in there,</p> <p>5 Charles. That's my middle initial.</p> <p>6 Q. Have you had any other Social Security numbers</p> <p>7 besides 221-38-0898?</p> <p>8 A. No, by state record.</p> <p>9 Q. Mr. Anderson, my name is Michael Williams. I'm a</p> <p>10 partner at the law firm of Lathrop &amp; Gage in Kansas City,</p> <p>11 Missouri, and we have been hired to represent General</p> <p>12 Motors with regard to, in fact, two complaints that you</p> <p>13 have filed against General Motors.</p> <p>14 Are you aware of these facts?</p> <p>15 A. Yes.</p> <p>16 Q. And because you are here alone and don't have</p> <p>17 counsel, I'm going to make sure that I explain the rules</p> <p>18 to you very carefully so that we are all on the same page</p> <p>19 from the beginning.</p> <p>20 To my left are seated two court reporters.</p> <p>21 A. Okay.</p> <p>22 Q. And the court reporter's job is to take down</p> <p>23 everything that I say and every answer that you give.</p> <p>24 Because of that fact, she can't have me talking over you,</p> <p style="text-align: right;">Page 3</p>
<p style="text-align: right;">Page 2</p> <p>1 (Anderson Deposition Exhibits 1, 2 and 3 were</p> <p>2 marked for identification.)</p> <p>3 -----</p> <p>4 ROLAND C. ANDERSON,</p> <p>5 the witness herein, having first been</p> <p>6 duly sworn on oath, was examined and</p> <p>7 testified as follows:</p> <p>8 EXAMINATION</p> <p>9 BY MR. WILLIAMS:</p> <p>10 Q. Can you please state your full name for the</p> <p>11 record?</p> <p>12 A. Roland C. Anderson.</p> <p>13 Q. Mr. Anderson, what is your date of birth?</p> <p>14 A. 6/12/52.</p> <p>15 Q. And what is your current address?</p> <p>16 A. 113 Lloyd Street, L-L-O-Y-D, Wilmington,</p> <p>17 Delaware, 19804.</p> <p>18 Q. And how long have you lived at that address?</p> <p>19 A. About close to 26 years.</p> <p>20 Q. And is that a home or an apartment?</p> <p>21 A. Home.</p> <p>22 Q. And do you own that home or rent it?</p> <p>23 A. I own it.</p> <p>24 Q. And what is your Social Security number?</p>	<p style="text-align: right;">Page 4</p> <p>1 and likewise, she can't have you talking over me, which</p> <p>2 means I have to be allowed to finish my question and then</p> <p>3 I have to give you a chance to finish your answer before</p> <p>4 I start the next question.</p> <p>5 A. Okay.</p> <p>6 Q. You are doing a good job of it right now, and one</p> <p>7 of the things that it is hard for us to do is most people</p> <p>8 talk with their hands, and in a deposition she can only</p> <p>9 take down the things that are said.</p> <p>10 So to the extent that you have an answer, it</p> <p>11 has to be aloud, and it has to be a yes or a no, and</p> <p>12 because uh-huh and mm-hmm are words we commonly use but</p> <p>13 they don't have any legal meaning, so if you do that, I</p> <p>14 have to ask, was that a yes or was that a no to make sure</p> <p>15 we keep the record clear.</p> <p>16 Do you understand those things?</p> <p>17 A. Yes.</p> <p>18 Q. Do you also understand that you are here under</p> <p>19 oath and that what you give here is sworn testimony that</p> <p>20 can be used just as if you were testifying in front of a</p> <p>21 judge or a jury at this point?</p> <p>22 A. Okay.</p> <p>23 Q. Finally, we have to make sure that you are</p> <p>24 competent to testify, meaning: Are you under the</p>

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1 (Pages 1 to 4)

302-655-0477

EX. 1

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<p style="text-align: right;">Page 5</p> <p>1 influence of any alcohol, medication, or drugs that would 2 affect your ability to be truthful and honest here today? 3 A. Well, I take medication for sugar diabetes. 4 Q. What medication do you take? 5 A. Gilgicte. Gilgicte. 6 Q. You probably have to spell that just to make 7 sure. 8 A. G-I-L-G-I-C-T-E. 9 Q. Are you under any other medication? 10 A. I take lovastatin for cholesterol. Lovastatin. 11 Q. Is there any other medication? 12 A. I take aspirin. 13 Q. Okay. Now, you have taken these medications in 14 the past, correct? 15 A. Yes. 16 Q. And on any of those occasions have they affected 17 your ability to understand questions you are being asked 18 and to answer in a truthful and honest manner? 19 A. Not that I know of. To be truthful with you, I 20 never really went through a deposition, so no. 21 Q. Okay. And as you sit here today, do you have any 22 reason to believe that you can't be truthful and honest? 23 A. I'm being truthful from what the documents, what 24 happened, and what was presented from General Motors and</p>	<p style="text-align: right;">Page 7</p> <p>1 Q. Now, after you graduated from high school, did 2 you attend any college, university, or trade school? 3 A. Yeah. I went to Del Tech, took up retail sales 4 and also Delcastle for becoming an electrician. 5 Q. Any other colleges, schools, or universities that 6 you've attended? 7 A. No. 8 Q. Have you taken any on-line college courses? 9 A. No. 10 Q. You told me you attended Del Tech; is that 11 correct? 12 A. Del Tech. 13 Q. In what years did you attend Del Tech? 14 A. Oh, that was some time in '84 to '86 or '87, 15 around that period, in the eighties. 16 Q. Did you get a degree from Del Tech? 17 A. Yes, I did. 18 Q. And what kind of degree was it? 19 A. Electrical trades. 20 Q. Was that a certificate? An associate's degree? 21 A bachelor's degree? 22 A. That was a certificate for technical electricity. 23 You had to go through four years of courses to become an 24 electrician.</p>
<p style="text-align: right;">Page 6</p> <p>1 I have a statement here from Dave Bull. 2 Q. Okay. But, sir, the question is: Are you 3 capable of being truthful and honest here today? 4 A. Yes. 5 Q. We just have to make sure that you are competent 6 to testify. That's a legal requirement before we go any 7 further. 8 A. All right. 9 Q. Are you sleep deprived in a manner that would 10 prevent you from being truthful and honest here today? 11 A. No. 12 Q. And are you under the influence of alcohol or any 13 illegal narcotic at this time? 14 A. No. 15 Q. Mr. Anderson, did you graduate from high school? 16 A. Yes. 17 Q. And what high school did you graduate from? 18 A. McKean High School. 19 Q. And where is that at? 20 A. That's in Hockessin, Delaware. 21 Q. Is that Hope Castle? 22 A. Hockessin. 23 Q. Do you remember what year you graduated? 24 A. That was in '71.</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. And did you become a certified electrician? 2 A. Well, I got my certificate and I worked as a 3 journeyman. I was working as an electrician for 11 years 4 before I came to General Motors, and I tried to get a job 5 with General Motors in that field, but I was denied. 6 Q. Okay. What years did you work as a journeyman 7 electrician? 8 A. That was from -- from the eighties up until '82. 9 I'm sorry. Wait a minute. From -- I started '71, 10 school, sometimes in the eighties to '82, to General 11 Motors is when I started back up General Motors. About 12 ten -- ten, 11 years. 13 Q. Okay. I'm confused. You graduated from high 14 school in '71? 15 A. That's correct. 16 Q. The first college, university, or trade school 17 you attended was Del Tech, correct? 18 A. That's correct. 19 Q. And you attended Del Tech 13 years after you got 20 out of high school? 21 A. No. No. 22 Q. Because your prior testimony is that you went 23 from Del Tech to -- 24 A. It was '71 I graduated from school.</p>

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<p>Page 9</p> <p>1 Q. Okay.</p> <p>2 A. Then I went to Del Tech technical school to get</p> <p>3 my certificate. Shortly after that, I worked as an</p> <p>4 electrician clear up until '82, as I stated, when I</p> <p>5 started working at General Motors up until '82.</p> <p>6 Q. Right after high school you went to Del Tech?</p> <p>7 A. Yes, shortly.</p> <p>8 Q. You would have started in Del Tech in '71 or '72?</p> <p>9 A. Right.</p> <p>10 Q. Not '84? It would be '71 or '72?</p> <p>11 A. It was in the seventies -- don't get me confused.</p> <p>12 In the seventies, after I graduated from high school, I</p> <p>13 went to trade school, Del Tech. Then I worked like 11</p> <p>14 years up until '82, that's when I came to General Motors.</p> <p>15 Okay. So that's about ten, 11 years from '77, '71 up</p> <p>16 until '82.</p> <p>17 Q. Okay. So let's back up. From 1971 to 1982 is an</p> <p>18 11-year period?</p> <p>19 A. Right.</p> <p>20 Q. Correct?</p> <p>21 A. That's right.</p> <p>22 Q. If you took four years to get a degree, that</p> <p>23 would only leave seven years of work.</p> <p>24 A. See, I was still working in the field as I was</p>	<p>Page 11</p> <p>1 becoming an electrician, apprentice, trade school.</p> <p>2 Q. And after you completed your training at Del</p> <p>3 Tech, you received a certificate?</p> <p>4 A. That's correct.</p> <p>5 Q. And that was an electrician certificate? Or what</p> <p>6 was the title of the certificate you received?</p> <p>7 A. Certificate just stating that you finished the</p> <p>8 course.</p> <p>9 Q. You also indicated that you attended college</p> <p>10 trade school or a university called Delcastle?</p> <p>11 A. No, it wasn't university. It is Del Tech. It is</p> <p>12 a school located in Wilmington here on 4th Street. It is</p> <p>13 a secondary college or something like that.</p> <p>14 Q. Okay. So did you attend two different colleges?</p> <p>15 A. Well, yeah. One period I started to become a</p> <p>16 retail salesman, and that was in the seventies. And I</p> <p>17 decided to become an electrician instead. That's the</p> <p>18 reason why I went to school, night work and high school.</p> <p>19 Q. Did you take courses to become a retail salesman?</p> <p>20 A. About six months to a year, something like that</p> <p>21 at Del Tech.</p> <p>22 Q. Where did you take those courses?</p> <p>23 A. Del Tech Community College.</p> <p>24 Q. So both of your certificates or all class work</p>
<p>Page 10</p> <p>1 going to school.</p> <p>2 Q. Okay. So while you were in trade school, you</p> <p>3 were working as an electrician?</p> <p>4 A. Right, night school at Delcastle as an</p> <p>5 electrician training, but I was working as an apprentice</p> <p>6 during the daytime.</p> <p>7 Q. Okay. Then that will explain it better. So just</p> <p>8 so the record is clear, you graduated from high school in</p> <p>9 1971; is that correct?</p> <p>10 A. That's correct.</p> <p>11 Q. After you completed high school, you began</p> <p>12 attending night classes at Del Tech to become an</p> <p>13 electrician?</p> <p>14 A. That's correct.</p> <p>15 Q. During the time that you were going to night</p> <p>16 school as an electrician, you worked as an apprentice</p> <p>17 electrician; is that correct?</p> <p>18 A. That's correct.</p> <p>19 Q. And that time period would take us from 1971 up</p> <p>20 until approximately 1982; is that correct?</p> <p>21 A. In '82, right.</p> <p>22 Q. It took you approximately four years to complete</p> <p>23 your course work at Del Tech?</p> <p>24 A. Del Tech, that's what the requirement was for</p>	<p>Page 12</p> <p>1 was done at Del Tech?</p> <p>2 A. No, one was at trade school, Delcastle. The</p> <p>3 other one was at Del Tech Community College. That's for</p> <p>4 the retail salesman. Okay.</p> <p>5 Q. Del Tech was retail sales; Delcastle was</p> <p>6 electrician?</p> <p>7 A. Delcastle trade school. You are getting me</p> <p>8 confused.</p> <p>9 Q. Okay. Did you ever work as a retail salesperson?</p> <p>10 A. - No. I just -- like I said, I just went from</p> <p>11 there to trade school.</p> <p>12 Q. Okay. And so you worked as an electrician for</p> <p>13 approximately 11 years; is that correct?</p> <p>14 A. That's correct.</p> <p>15 Q. And during that 11-year period from '71 to 1982,</p> <p>16 did you have any other employment other than working as</p> <p>17 an electrician?</p> <p>18 A. Okay. I used to work for Delcastle at nighttime,</p> <p>19 nighttime at Delcastle as a custodian while I was getting</p> <p>20 my education.</p> <p>21 Q. And how long were you a custodian at Delcastle?</p> <p>22 A. I worked there like ten years.</p> <p>23 Q. What were your hours there?</p> <p>24 A. From 10:00 to 7:00 in the morning.</p>

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<p style="text-align: right;">Page 13</p> <p>1 Q. 10:00 p.m. to 7:00 a.m.?</p> <p>2 A. Yes.</p> <p>3 Q. How many days a week?</p> <p>4 A. Every day, every night.</p> <p>5 Q. You worked seven days a week?</p> <p>6 A. Seven days a week.</p> <p>7 Q. And why did you leave that job?</p> <p>8 A. Well, I was discriminated against. They accused</p> <p>9 me of assaulting someone and the guy lied. And it was at</p> <p>10 court 10. I have documentations to that. And the</p> <p>11 charges were dismissed because he said that I had</p> <p>12 assaulted him, which I didn't assault him, and he turned</p> <p>13 around and dropped the charges.</p> <p>14 Q. So you were a custodian at Delcastle, and you</p> <p>15 were a student or a co-worker charged you with assault?</p> <p>16 A. It was a co-worker.</p> <p>17 Q. Okay. And that co-worker was in the</p> <p>18 janitorial --</p> <p>19 A. Yeah.</p> <p>20 Q. What was his name?</p> <p>21 A. His name is Mr. William Fulst.</p> <p>22 Q. And you were terminated because of the assault?</p> <p>23 A. Yeah. I was terminated because of that assault,</p> <p>24 illegal assault.</p>	<p style="text-align: right;">Page 15</p> <p>1 A. It was settled out of court.</p> <p>2 Q. Did you receive any money for that settlement?</p> <p>3 A. Yes, I did.</p> <p>4 Q. How much?</p> <p>5 A. I would rather not disclose that. I think that's</p> <p>6 confidential. You can call Steve Dryden on that. If he</p> <p>7 wants to give that to you...</p> <p>8 Q. So you signed a confidentiality agreement with</p> <p>9 regard to that settlement?</p> <p>10 A. I believe so. I have to check the records. It</p> <p>11 has been back in 1982 somewhere.</p> <p>12 Q. Okay. You also said during that 1971 to 1982</p> <p>13 time period you worked as a journeyman electrician?</p> <p>14 A. That's right.</p> <p>15 Q. Who did you work for as an electrician?</p> <p>16 A. I worked for East Coast Electric.</p> <p>17 Q. And --</p> <p>18 A. Paul Nichols.</p> <p>19 Q. Is that a different company?</p> <p>20 A. Yes, different. These are different companies.</p> <p>21 John Stalls Electrical Contractors. And I think that's</p> <p>22 about it. I better check my records. As far as I can</p> <p>23 recollect, those are the main three I worked for.</p> <p>24 Q. What records would you have to check to make sure</p>
<p style="text-align: right;">Page 14</p> <p>1 Q. And after you were terminated, Mr. Fulst kept</p> <p>2 pressing charges against you?</p> <p>3 A. No. He dropped the charges. I have a statement</p> <p>4 from the Court 10, the charges were dropped.</p> <p>5 Q. You have a statement from who? I'm sorry.</p> <p>6 A. Court 10. Justice of the Peace Court 10.</p> <p>7 Q. Okay.</p> <p>8 A. Do you know which Court 10 is, Justice of the</p> <p>9 Peace, Court 10?</p> <p>10 Q. Your system is completely different than the one</p> <p>11 we have in Missouri?</p> <p>12 A. Court 10. Don't you have justices over there?</p> <p>13 Q. No. We have Circuit Court judges, magistrate</p> <p>14 judges, and Associate Circuit Court judges.</p> <p>15 A. That's like magistrate court.</p> <p>16 Q. Okay. So after you were terminated from your</p> <p>17 employment, did you file any charges or lawsuits against</p> <p>18 Delcastle?</p> <p>19 A. Yes, I did.</p> <p>20 Q. And what were your charges based on?</p> <p>21 A. Violation of -- discrimination. The attorney</p> <p>22 that represented me in that was Mr. -- What is his name?</p> <p>23 Steve Dryden.</p> <p>24 Q. And what happened with that case?</p>	<p style="text-align: right;">Page 16</p> <p>1 that's accurate?</p> <p>2 A. The employment records or records I got at home.</p> <p>3 But I did work for those, those main three right there.</p> <p>4 Q. Why did you leave East Coast Electric?</p> <p>5 A. Because by that time I -- I went to General</p> <p>6 Motors.</p> <p>7 Q. Okay. So for how long did you work for East</p> <p>8 Coast Electric?</p> <p>9 A. About close to a year. In '82, somewhere around</p> <p>10 that time, '80 or '82.</p> <p>11 Q. What about Paul Nichols, how long did you work</p> <p>12 there?</p> <p>13 A. About the same.</p> <p>14 Q. And why did you leave Paul Nichols?</p> <p>15 A. I forget. You ask me questions way back, years</p> <p>16 ago. I can't recollect. But I think I just went to John</p> <p>17 Stalls. That's where I did most of my electrical service</p> <p>18 at.</p> <p>19 Q. And how long did you work for John Stalls?</p> <p>20 A. About eight, nine years, somewhere like that.</p> <p>21 Q. Did you resign from John Stalls or were you</p> <p>22 terminated?</p> <p>23 A. I was laid off.</p> <p>24 Q. Did you sue any of these three employers that we</p>



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<p style="text-align: right;">Page 17</p> <p>1 discussed?</p> <p>2 A. No.</p> <p>3 Q. So you never filed any lawsuit against East Coast</p> <p>4 Electric, Paul Nichols, or John Stalls Electric?</p> <p>5 A. No.</p> <p>6 Q. Did you ever file any charges of discrimination</p> <p>7 against them?</p> <p>8 A. No. Well, they didn't discriminate. They just</p> <p>9 laid me off because the work got slow, you know.</p> <p>10 Q. Now, were you a part of a union in this time</p> <p>11 period from 1971 through 1982?</p> <p>12 A. Yeah. I belonged to the AFSCME, federal union.</p> <p>13 AFSCME federal union.</p> <p>14 Q. And that was related to which employer?</p> <p>15 A. Delcastle.</p> <p>16 Q. Now, after you settled your lawsuit, did you ever</p> <p>17 go back to work at Delcastle?</p> <p>18 A. From that point I went to General Motors in '82.</p> <p>19 Q. Okay. But did you ever go back and work at</p> <p>20 Delcastle?</p> <p>21 A. No.</p> <p>22 Q. Are you still a member of the AFSCME federal</p> <p>23 union?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 19</p> <p>1 time for time, it added up to like six months. See?</p> <p>2 They go time for time. If you have four months in, you</p> <p>3 get time for time, meaning matching the four months that</p> <p>4 you already accumulated. So that's a total of like eight</p> <p>5 months.</p> <p>6 Do you understand what I'm saying how that</p> <p>7 works, the collective bargaining unit.</p> <p>8 Q. Okay. Stop. I need you to answer my questions.</p> <p>9 A. Okay.</p> <p>10 Q. And then if you want to talk about the collective</p> <p>11 bargaining agreement later, we can.</p> <p>12 On what date were you hired first to work at</p> <p>13 General Motors?</p> <p>14 A. Okay. The first date says here was August the</p> <p>15 31st of -- to September, September the 21st.</p> <p>16 Q. Of what year?</p> <p>17 A. They got here '81, but it is supposed to have</p> <p>18 been '82.</p> <p>19 Q. Okay.</p> <p>20 A. See right here it says '82. I'm just saying what</p> <p>21 the situation is, documentation, from the records from</p> <p>22 General Motors. Okay. I was reading what is here. You</p> <p>23 asked me a question. I'm going to answer it.</p> <p>24 So plaintiff was rehired on --</p>
<p style="text-align: right;">Page 18</p> <p>1 Q. How long have you been a member of that union?</p> <p>2 A. I would say about nine, nine years, something</p> <p>3 like that.</p> <p>4 Q. When did you join the union?</p> <p>5 A. Well, I joined the union way back in 80 -- '71.</p> <p>6 And up until '82 I was illegally terminated, and sometime</p> <p>7 shortly or sometime in the eighties I rejoined back with</p> <p>8 the union.</p> <p>9 Q. And then you continued to be a member of the</p> <p>10 union?</p> <p>11 A. Yeah, mm-hmm.</p> <p>12 Q. Okay. And we have talked about your education</p> <p>13 and employment up to 1982.</p> <p>14 A. Yeah.</p> <p>15 Q. In 1982 you applied for employment at General</p> <p>16 Motors; is that correct?</p> <p>17 A. That's correct.</p> <p>18 Q. What position were you hired for?</p> <p>19 A. I was hired as -- on the production line. I also</p> <p>20 filed an application to become an electrician, but they</p> <p>21 denied me the right to become an electrician as a</p> <p>22 tradesman.</p> <p>23 Q. How long did you work on the production line?</p> <p>24 A. It is about only four months. But with the</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. Sir, you understand that this is your deposition?</p> <p>2 A. I understand that.</p> <p>3 Q. And one of the things that you have to do in your</p> <p>4 deposition is you have to answer questions to the best of</p> <p>5 your recollection.</p> <p>6 A. That's what I'm doing. You asked me a question.</p> <p>7 You asked me a question.</p> <p>8 Q. Do you understand that?</p> <p>9 A. You asked me a question when was I hired. I'm</p> <p>10 telling you from what the records says.</p> <p>11 Q. Sir, do you understand you have to answer</p> <p>12 questions from the best of your recollection?</p> <p>13 A. Yes, but I'm trying to say to you --</p> <p>14 Q. Sir, do you understand you have to answer</p> <p>15 questions from the best of your recollection?</p> <p>16 A. Okay.</p> <p>17 Q. Yes?</p> <p>18 A. Yes, but that wasn't explained to me at first.</p> <p>19 Q. Okay. To the extent that you want to dispute</p> <p>20 something that Mr. Bull or someone from General Motors</p> <p>21 you believe said that's completely different than what</p> <p>22 I'm asking you, I'm asking you for your memory and your</p> <p>23 thoughts as to what happened during your employment.</p> <p>24 To the extent we go through documents later,</p>

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<p style="text-align: right;">Page 21</p> <p>1 you can explain what is right or wrong about 2 Mr. Bull's affidavit or anybody else's. 3 For the court's reference, the deponent is 4 reading from, I guess, an exhibit that he brought with 5 him which is -- 6 A. My employment. 7 Q. -- an affidavit by Mr. Bull. 8 So I'm going to ask you again so the record 9 reflects what you recall when were you hired by General 10 Motors. 11 A. '82. 12 Q. Do you remember when in '82? 13 A. I don't. Sometime in June of '82. 14 Q. How long did you work for that, from that time 15 period before you were laid off by General Motors? 16 A. Up until October '82. That's four months. A 17 little over four months. 18 Q. So it is your testimony that you recall working 19 at General Motors continuously from June of '82 to 20 October of '82? 21 A. That's correct. 22 Q. Did you work any other time periods at General 23 Motors? 24 A. Prior to that time it was August the 31st to</p>	<p style="text-align: right;">Page 23</p> <p>1 A. It must have been -- wasn't that long. It was a 2 short period. Sometime in September. And later part of 3 August to September, something like that. 4 Q. And what year was that? 5 A. I remember starting there in '82. 6 Q. Okay. Now, you worked those two time periods at 7 General Motors. 8 After you were discharged in October of 9 1982, what was the next job that you held? 10 A. Well, I started working for East Coast Electrical 11 Company for a short period. 12 Q. And we have already talked about that. That was 13 about a one-year period? 14 A. Right around '82, around that period. 15 Q. And then why did you leave East Coast Electric? 16 A. Just short. They got short-handed and work got 17 slow. 18 Q. What was the next employment you had after East 19 Coast Electric? 20 A. I went on -- I went on disability. I had 21 emotional disturbance, depression. 22 Q. And in what year were you diagnosed with a 23 disability? 24 A. It was in 1984, '85, somewhere around there.</p>
<p style="text-align: right;">Page 22</p> <p>1 September the -- 2 Q. Sir, again, I'm not asking you what Mr. Bull's 3 affidavit says. I have to ask you what you recall. 4 A. But, sir, you asked me a question way back then. 5 I don't have the -- I forgot way back then. You 6 understand me, but I can remember it from my standpoint 7 it was '82. 8 Q. Okay. 9 A. But from -- 10 Q. If you don't recall working any other time 11 period, you have to say that. You can't read into the 12 record someone else's affidavit. 13 A. But these are the records from General Motors. 14 Q. It doesn't matter, sir. This is a deposition 15 based on your testimony. 16 A. You asked me something back in '80, '82. Can you 17 remember things way back in the seventies, eighties? 18 Q. Sir, it is not up to me to debate you. 19 A. I understand that. 20 Q. I have to ask the question. 21 Do you recall working for General Motors any 22 other time period? 23 A. Yes, prior to then. 24 Q. And when was that time period?</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. And when you say you went on disability, was that 2 through the union or was that through some employer? 3 A. That was from -- after General Motors and other 4 employers that I had worked for previously, such as East 5 Coast, General Motors. So I went on -- my doctor said I 6 was emotionally distressed, emotional problems. And I 7 went on disability. 8 Q. Were you receiving disability payments from 9 anyone? 10 A. Yes, from Social Security. 11 Q. And you received Social Security disability from 12 1984 until when? 13 A. Up until -- I'm still on it. 14 Q. How much do you receive from Social Security 15 disability every month? 16 A. \$1,162 a month. And also, doctor also said that 17 I have impingement from working for General Motors, 18 Dr. Galinet and Dr. Eric Johnson. They said because of 19 the work I used to do up there, grinding cars, 20 constantly, all the time, caused me to have impingements 21 from the x-rays, medical report. 22 Q. Did you receive any disability because of that? 23 A. Well, I'm in the process of talking to an 24 attorney about that, because I did go through the hearing</p>

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<p style="text-align: right;">Page 25</p> <p>1 for that case, and the attorney left out some prudent 2 information that she was supposed to disclose, which she 3 didn't do, and which I'm in the process of talking to an 4 attorney of disclosing that once we get the subpoenas to 5 do so. 6 Q. Okay. When was the hearing on the alleged 7 impingement? 8 A. Oh, that was about -- I forget. That was in -- 9 sometime in the nineties. Don't get me quote -- you 10 should have told me what you needed before I came in 11 according to Rule 30 of the deposition rules. Then I 12 would have been prepared to bring that information in to 13 you as far as dates and all that. 14 But it was in the 1990s or up to 2000, 15 Industrial Accident Board. 16 Q. So you had a hearing in front of the Industrial 17 Accident Board. What was their finding or ruling? 18 A. Well, their findings was basically what she had 19 said, and they ruled against me. But like I said, it is 20 going to probably be reopened because she failed to 21 relinquish pertinent information which I can prove from 22 her deposition and the hearing notes, and the records 23 that we received, and I'm going to take that to the 24 attorney within the next two weeks from now. I got an</p>	<p style="text-align: right;">Page 27</p> <p>1 date, and prior, after that date, which was '82, '81, 2 clear on up until '80 something, '87 or something, so 3 from the seniority list -- okay. And that's one of the 4 reasons why I inquired. 5 Q. So do you remember on what day you went to 6 General Motors in 2005? 7 A. I called. I didn't go. I called. 8 Q. So it is your testimony that was in what month in 9 2005? 10 A. That was in April. I got the date in here. I 11 think it was April the 15th, 2005. 12 Q. Let's make this easier. 13 A. I'm saying you have to go back by the records. I 14 can't remember every single date and everything like 15 that. 16 Q. Sir, I'm trying to get your testimony, but 17 apparently you continue to go through certain documents 18 that you have brought here which -- 19 A. Well, this is -- okay. Go ahead. Go ahead. You 20 expect me to know things and you don't even know 21 yourself. You got to look at the documents yourself. 22 You know what I mean? Let's be reasonable here. These 23 are the situations I had filed for facts discovery at the 24 District Court. And I can't remember every little</p>
<p style="text-align: right;">Page 26</p> <p>1 appointment coming up as far as my worker's comp for my 2 shoulders, cumulative detrimental type effect case. 3 Q. You haven't worked at General Motors since that 4 period we discussed in 1982, correct? 5 A. That's correct. 6 Q. Have you worked anywhere since you worked at East 7 Coast Electrical? 8 A. No, because of the situations that I'm under, the 9 doctor got me under. 10 Q. So you haven't been gainfully employed from 1984 11 to the present, correct? 12 A. No. I tried to see if General Motors was hiring 13 sometime in 2005, in which I got information that they 14 were hiring, and I was trying to get a part-time job with 15 them, or at least look into it, and it was told to me 16 that they weren't hiring. 17 Okay. Do you want me to continue? 18 Q. Sure. 19 A. Okay. They weren't hiring, so I filed a 20 complaint in the Department of Labor, okay, and they did 21 an investigation and found that General Motors stated 22 that they didn't hire nobody, not until October of 1999. 23 And which then I got a copy from seniority 24 list which showed that they hired people prior to that</p>	<p style="text-align: right;">Page 28</p> <p>1 recollection, dates and times and stuff. That's 2 impossible. 3 So, therefore, I brought the records with me 4 to refresh my memory. These are the records already 5 documented at the court of the District Court. 6 Q. Sir, are you done? 7 A. Yes. I'm just saying, I can't remember every 8 recollection. I'm going to give you a date, April the 9 15th, 2005, if it is not correct, that will mean that I 10 don't know. I just forgot. But the records should 11 reflect that from the Department of Labor, clearly show 12 when it was filed. 13 Q. Are you done? 14 A. Yes. 15 Q. Okay. I'm going to ask you to put those 16 documents away. I'm asking you to testify from what you 17 know. And to the extent that you don't recall, then you 18 have to say that on the record. Do you understand? 19 A. Okay. 20 Q. So please close the documents. 21 I'm going to hand you what the court 22 reporter has already marked as Deposition Exhibit 2. 23 A. Okay. 24 Q. Please take a moment and look at that document</p>

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<p style="text-align: right;">Page 29</p> <p>1 and tell me if you recognize it.  2 A. Okay. I recognize it.  3 Q. Please tell the Court what that document is.  4 A. This is my complaint filed at the District Court.  5 Q. If we look at the second page of this  6 document --  7 A. Mm-hmm.  8 Q. -- you allege under number 9 that "I tried to  9 apply for a job in March 2005." Did I read that  10 correctly?  11 A. That's correct.  12 Q. So did you apply for a job in March 2005 and  13 April 2005, or was it March 2005?  14 A. March of 2005 I tried to apply for a job. They  15 told me they weren't accepting applications.  16 Q. Sir, you have to answer my question, and then  17 I'll follow up and you can explain.  18 A. Okay.  19 Q. Did you complete a job application in March of  20 2005?  21 A. No. I tried to apply. I applied and that  22 application -- I tried to apply, but I was told that they  23 weren't accepting applications.  24 Q. Stop. Let me try the question again.</p>	<p style="text-align: right;">Page 31</p> <p>1 number to the resource center, personnel department.  2 Q. Who did you talk to at the union hall?  3 A. The secretary there. They don't give you names  4 and everything up there.  5 Q. So you spoke to an unnamed person at the union  6 hall who gave you a number at General Motors?  7 A. She is there all the time. She knows me because  8 I call there pretty often to talk to different ones of  9 getting numbers, shop committee and different persons up  10 there.  11 Q. In March of 2005 you called General Motors?  12 A. Yes.  13 Q. And had you ever talked to the person that you  14 called to before?  15 A. No.  16 Q. Did you identify yourself?  17 A. Yeah. I said, "My name is Roland Anderson. I'm  18 looking for employment. And she says, "Oh" -- she must  19 have knew me. "Oh, you all washed up." That's what she  20 told me on the phone.  21 Q. What did that mean?  22 A. I don't know. She is saying to me maybe I'm of  23 age, because, you know, they take a lot of young people  24 up there. And she said, "You all washed up" and hung up</p>
<p style="text-align: right;">Page 30</p> <p>1 Did you complete a job application in March  2 of 2005? Yes or no?  3 A. No.  4 Q. Okay. Did you complete a job application at  5 General Motors in April of 2005? Yes or no?  6 A. It was March of 2005.  7 Q. Okay. Tell me what you recall about the  8 situation in March 2005.  9 A. March of 2005, I called there, personnel, and ask  10 them were they doing any type of hiring. And the lady  11 said, "No. You all washed up." Smart lady. And they  12 said that they weren't accepting any applications. And  13 then hung up my ear vividly.  14 Q. Now, who did you talk to?  15 A. Well, she didn't tell me her name. I knew it was  16 somebody from that department. It was a female.  17 Q. What number did you call?  18 A. Oh, I forget that number. It was a number to  19 personnel at General Motors.  20 Q. Where did you get the number from?  21 A. Oh, I got it from the union hall.  22 Q. So did you physically go to the union hall or did  23 you call the union hall?  24 A. I called the union hall and they gave me the</p>	<p style="text-align: right;">Page 32</p> <p>1 my ear. They knows who I was.  2 Q. How do you know they knew who you were?  3 A. Because I tried before, trying to get documents  4 from my records, medical records, previous cases that I  5 have for workmen's comp.  6 They said I wasn't allowed on the property.  7 The security guard came out there and had to escort me  8 off the property said I wasn't allowed to be on the  9 property. I said, "Sir, I'm entitled to my records."  10 "Well, we got a call from somewhere, from  11 personnel saying you are not allowed to be on the  12 property." So they escorted me off the property. Was a  13 black guard.  14 So that's why I couldn't get my records.  15 Q. But you don't know who the person was that you  16 spoke to at General Motors? You just knew she was in  17 personnel?  18 A. She was in personnel, and it was a lady.  19 Q. Okay. Do you know if she was a secretary or --  20 A. Evidently she must have been a secretary.  21 Q. Okay. You allege that you asked for an  22 application and she said -- did you ask for an  23 application or did you ask if they were hiring?  24 A. Well, back then I think I asked them were they</p>

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<p style="text-align: right;">Page 33</p> <p>1 hiring and could I get an application. They said they 2 weren't accepting no applications and they weren't 3 hiring. And then she said, "You all washed up." She 4 hung the phone, slammed -- actually slammed the phone on 5 my ear like that (indicating). 6 Q. And you alleged that someone told you that 7 General Motors was hiring. Who was that person? 8 A. Oh, it was somebody from -- that's some people I 9 knew on the corners that you walk by people that works at 10 General Motors, and they told me, "Oh, they accepting 11 applications" and this and that. I said, "Really?" 12 You don't have to know somebody just to talk 13 to somebody. And they was telling me at the liquor 14 store, and they was saying that some of their friends got 15 hired. 16 As a matter of fact, I got a sheet here, 17 Johnson, Lavinsky, his name is in here, and a few others. 18 Q. We will go through that sheet in a minute. 19 What I want to know is: Who told you 20 General Motors was hiring? 21 A. I can't recollect. It was just General Motors 22 coming working, going and getting their little -- 23 whatever they getting, beer or whatever and, you know, 24 talking to people like I'm talking now. Didn't get no</p>	<p style="text-align: right;">Page 35</p> <p>1 A. I told you, just people that you commonly meet. 2 You don't have to know their names. They was saying they 3 were hiring. I asked them were they hiring, just out of 4 curiosity. I want to know if they were hiring. 5 I seen them coming in there, a bunch of them 6 coming. I seen all these people. I said, "General 7 Motors is hiring again?" And they said, "Yes. Friends 8 got hired." 9 I don't know. I just took it from that 10 point, there it is, where it is, what it is. I asked 11 them some questions, like everyday people. Ask people 12 questions, especially if you see like five of them coming 13 into the stores and going different places. And I asked 14 them were they hiring they said, yeah, they were hiring 15 at that time, around that time. 16 Q. Okay. And again, none of those people worked in 17 human resources, correct? 18 A. No, they didn't work in human resources. 19 Q. Your next sentence says, "Also because of my age 20 52, to believe the defendant listed me as terminated 21 (actually I was laid off). It also has, had retaliatory 22 effect on my being denied benefits to which I'm 23 entitled." 24 What does that mean?</p>
<p style="text-align: right;">Page 34</p> <p>1 names or anything. They just told me that they heard -- 2 I asked them were they hiring they said from their 3 recollection they were hiring. So that was it. That was 4 the end of the conversation. 5 Q. Did any of those people work in personnel? 6 A. No, I don't think -- they worked on the line. 7 They had uniforms and everything on. A bunch of them 8 come off from lunch break. 9 Q. So on lunch break you see these people are going 10 to the liquor store and buying beer and alcohol? 11 A. They do it or go to get a sandwich, you know, 12 stuff like that. 13 Q. You don't remember the names of any of these 14 individuals? 15 A. Well, no, because they was like people that -- 16 they were just communicating, conversating. That's all 17 that was. 18 Q. Okay. Then you say you were not given an 19 application and was told the plant was not hiring. On or 20 about April 15th, 2005 I learned from individuals that 21 Respondent was hiring. 22 A. Mm-hmm. 23 Q. Who is it that told you in April 2005 that 24 General Motors was hiring?</p>	<p style="text-align: right;">Page 36</p> <p>1 A. Okay. Now, when I belonged to the union at that 2 particular time, in '82, now, certain benefits that a 3 person is entitled to, such as a right to recall, a right 4 to receive C sub and E sub benefits, if you are laid off 5 prior to October the 1st, 1990, which I have the Delaware 6 insurance commissioner is looking into that with 7 Fidelity, because I was supposed to have got those 8 benefits. But when they listed me as terminated or 9 temporary employee, retaliated against me, all those 10 benefits I was supposed to have got, pushed off the 11 table, wiped off. 12 I was entitled under the collective 13 bargaining agreement, because I worked at my 90 days, 14 requested for that period of time, that when they 15 retaliated, I lost all that. I couldn't get all of that. 16 Q. Okay. 17 A. And plus -- plus the right to be recalled. 18 See? I have rights. Like union benefits 19 rights, when they did that, retaliated that, that 20 destroyed all them rights, benefits. 21 Right now I'm fighting now with the 22 federal -- I mean federal -- Fidelity situation now 23 because the C sub and E sub that I was entitled to 24 benefits. When you belong to a union, you get benefits.</p>

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<p style="text-align: right;">Page 37</p> <p>1 And if you was a temporary or you got fired or 2 terminated, you don't get none of that. 3 Q. Okay. Sir, are you done? 4 A. Yes. 5 Q. So all of this last part that I read, "Also 6 because of my age, to believe the defendant listed me as 7 terminated," and this retaliatory stuff deals with your 8 layoff back in 1982? 9 A. That's correct. 10 Q. And all those documents that you allege should 11 have said one thing, should have said "layoff" but said 12 "terminated" were created back in 1982? 13 A. Well, let me get this straight. I know where you 14 are coming from with that. 15 I'm going to say this to you. I have good 16 documents, document here. This is a retaliation 17 situation. I didn't know anything about it until the 18 April the 15th investigation from the EEOC, this pops up. 19 Q. Sir -- 20 A. Otherwise, I would have done something about that 21 a long time ago. 22 Q. April 15th of what year? 23 A. April 15th of 2005. 24 Q. Now, sir, you realize you are under oath,</p>	<p style="text-align: right;">Page 39</p> <p>1 to commit perjury. 2 A. I'm not perjury. 3 Q. You understand that you filed prior lawsuits, 4 correct? 5 A. That's correct. 6 Q. You understand that you have lost every one of 7 those lawsuits, right? 8 A. Because of the time frame, sir. 9 Q. Yes or no? 10 A. Yes, because of the time frame. 11 Q. You also appealed these decisions through the 12 union, correct? 13 A. Yeah. 14 Q. And you understand that there are written 15 decisions from not only the local union, but the National 16 Union and the NLRB? You understand that, correct? 17 A. Yes, but that -- 18 Q. Yes, sir. Do you understand that? 19 A. Yes, I do understand that. 20 Q. Do you understand because you commented on the 21 record in those cases about the very documents that you 22 are speaking, so is it your testimony under oath to this 23 Court that the first time you saw those documents was 24 April the 15th, 2005? Yes or no?</p>
<p style="text-align: right;">Page 38</p> <p>1 correct? 2 A. Yes, April the 15th, 2005. 3 Q. Sir, is it your testimony that these documents 4 were changed or -- 5 A. Altered, yes. 6 Q. In fact, you were given copies of these documents 7 when you filed prior lawsuits, weren't you? 8 A. No. That's the -- you asked me the question. 9 I'm going to answer your question, sir. That's the 10 way -- I know where you are coming from. 11 But I'm going to tell you, and you are 12 putting it the same way, category with them, these 13 documents, when I prior filed these suits, there is 14 affidavits sent to Judge Farnan from Dave Bull clearly 15 under the circumstances states that I was an hour worker. 16 You understand me? 17 So, therefore, none of this stuff was in 18 there until April the 15th, after the EEOC did their 19 investigation, and they found that I was listed as 20 terminated, I was listed as they turn around and said I 21 was a temporary employee. 22 Q. Sir -- 23 A. I'm just saying -- 24 Q. Let's stop for a minute because I don't want you</p>	<p style="text-align: right;">Page 40</p> <p>1 A. Listen to me. Let me explain. I'm going to say 2 the first time I've seen the documents that they said I 3 was terminated and laid off was around -- after the 4 investigation from EEOC. 5 Prior cases that you are referring to is 6 stated from Dave Bull that I was an hourly worker. I was 7 laid off. That's what I'm trying to tell you. 8 And the reason why they said that those 9 cases were lost because it was time frame. But the 10 information that you sent to them also reveals that your 11 situation, your staff, your members committed perjury 12 because the information that you sent them is incorrect 13 from the information that Dave Bull and the records 14 reflect that I was an hourly worker. Okay? 15 Q. Sir, what does it mean to be an hourly worker? 16 A. Hourly worker means that you get the full 17 benefits of regular worker, hourly worker. Temporary 18 workers don't get the benefits. That's as simple as 19 that. 20 Q. That's your definition? 21 A. No. That's the records from the union. 22 Q. Sir, I'm trying to ask a simple question, and 23 apparently we are going to go a different direction. I 24 want to make sure that this record is clear. You have a</p>

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<p style="text-align: right;">Page 41</p> <p>1 packet of documents that you brought here today, correct?</p> <p>2 A. That's correct.</p> <p>3 Q. I would like you to go into that packet and pull</p> <p>4 out the documents that you say you didn't see until</p> <p>5 April 15th of 2005.</p> <p>6 A. Okay. Okay. First --</p> <p>7 Q. Sir, please pull out the records you say you</p> <p>8 didn't see until 2005.</p> <p>9 A. Okay. Cool. Here it is right here. September</p> <p>10 2005 -- can I read something for the record, please?</p> <p>11 Q. She has to mark this and it is going to become an</p> <p>12 exhibit.</p> <p>13 A. Right. Thank you.</p> <p>14 Q. She will give you back a copy before you leave.</p> <p>15 A. Thank you.</p> <p>16 Q. Are there any other documents in here you allege</p> <p>17 that you didn't know about until April of 2005?</p> <p>18 A. April -- September 8th, 2005. That's what was</p> <p>19 investigated and that's what prevailed, the retaliation.</p> <p>20 That's when the retaliation came into effect, that</p> <p>21 information right there.</p> <p>22 First of all, let me say something to you,</p> <p>23 sir. The one I was referring to you from Dave Bull</p> <p>24 clearly states from -- to the records, which is going to</p>	<p style="text-align: right;">Page 43</p> <p>1 A. Wait a minute now.</p> <p>2 Q. No. Hold on. You have now gone through two</p> <p>3 different documents. Now we have to clean the record up.</p> <p>4 MR. WILLIAMS: Can you please mark this as</p> <p>5 Deposition Exhibit 4? For the Court's edification, we</p> <p>6 are marking a letter from September 8th, 2005 from the</p> <p>7 U.S. EEOC Philadelphia office as Deposition Exhibit 4,</p> <p>8 which is what Mr. Anderson alleges was new information</p> <p>9 that told him that there was a retaliation charge.</p> <p>10 (Anderson Deposition Exhibit 4 was marked</p> <p>11 for identification.)</p> <p>12 BY MR. WILLIAMS:</p> <p>13 Q. Okay. Sir, I'm going to ask you to turn back to</p> <p>14 Deposition Exhibit 1.</p> <p>15 A. Okay. Are we going to mark this exhibit?</p> <p>16 Q. No. We don't need to.</p> <p>17 A. I would like to.</p> <p>18 Q. Sir, if you just wait a minute and go back to</p> <p>19 Deposition Exhibit 1 --</p> <p>20 A. Okay.</p> <p>21 Q. It is that document.</p> <p>22 A. All right.</p> <p>23 Q. This is your complaint, correct?</p> <p>24 A. That's my complaint.</p>
<p style="text-align: right;">Page 42</p> <p>1 be marked Exhibit B if you want, will clearly show that</p> <p>2 Mr. Dave Bull said -- never said that, that I was a</p> <p>3 temporary worker. Never said I was terminated. His</p> <p>4 information was sent to Judge Farnan, which is in here.</p> <p>5 Mark it as Exhibit B.</p> <p>6 MR. WILLIAMS: Can you take out some exhibit</p> <p>7 stickers, please?</p> <p>8 A. This is way back when I first filed the</p> <p>9 discrimination suit against General Motors. The records</p> <p>10 from General Motors shows that the plaintiff was employed</p> <p>11 as an hourly worker. Okay. Didn't say layoff or</p> <p>12 anything.</p> <p>13 From August 31st to September 21st, 1981</p> <p>14 when he was laid off is during that period of time he</p> <p>15 acquired no seniority rights because he was not employed</p> <p>16 for 90 days as required under the terms of the collective</p> <p>17 bargaining agreement.</p> <p>18 Plaintiff was rehired on June the 25th, '82</p> <p>19 and was again laid off in October of '82. Under the</p> <p>20 agreement, he acquired senior seniority rights including</p> <p>21 the right to recall. Okay.</p> <p>22 Now, nowhere on here it says that</p> <p>23 Mr. Anderson was terminated or laid off.</p> <p>24 Q. Okay, sir.</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. If we go to the last two pages -- I'm sorry --</p> <p>2 the last four pages of your complaint, please flip to the</p> <p>3 back of the complaint that's been marked as Exhibit 1.</p> <p>4 A. Okay.</p> <p>5 Q. Keep going.</p> <p>6 A. I've got this right here. I already have this in</p> <p>7 front of me.</p> <p>8 Q. You have to go to the exhibit.</p> <p>9 In Deposition Exhibit 1, does that appear to</p> <p>10 be the affidavit of David Bull?</p> <p>11 A. Yes, sir.</p> <p>12 Q. And that's the affidavit that you were just</p> <p>13 reading from?</p> <p>14 A. Correct.</p> <p>15 Q. That affidavit is dated the 16th day of</p> <p>16 September, 1992.</p> <p>17 A. Okay.</p> <p>18 Q. Is that correct?</p> <p>19 A. That's correct.</p> <p>20 Q. And it is in lawsuit Roland Anderson vs. General</p> <p>21 Motors, Case Number 92335; is that correct?</p> <p>22 A. That's correct.</p> <p>23 Q. So this was an affidavit that was in your 1992</p> <p>24 lawsuit, correct?</p>

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<p style="text-align: right;">Page 45</p> <p>1 A. That's correct.</p> <p>2 Q. And you read certain parts of that? You read</p> <p>3 part 2 that we see at the bottom, correct?</p> <p>4 A. That's correct.</p> <p>5 Q. And you read the first portions of that paragraph</p> <p>6 on the next page, correct?</p> <p>7 A. That's correct.</p> <p>8 Q. I'm going to read the remainder of that sentence,</p> <p>9 just so the Court record is clear, because apparently it</p> <p>10 says, quote, Under the agreement, he acquired certain</p> <p>11 seniority rights including a right to be recalled to</p> <p>12 employment, but these rights expired on a time for time</p> <p>13 basis. Having been employed for only four months,</p> <p>14 plaintiff's right to be recalled, as well as any other</p> <p>15 seniority rights, expired four months after he was laid</p> <p>16 off. That is by February 1983." That's the end of</p> <p>17 paragraph 2.</p> <p>18 Did I read that accurately, sir?</p> <p>19 A. Yes.</p> <p>20 Q. Was that the rest of the paragraph that you did</p> <p>21 not read into the record?</p> <p>22 A. No. Well, you didn't give me a chance. I can</p> <p>23 read that. That doesn't mean anything. It only reflects</p> <p>24 that I was laid off. I wasn't terminated or temporary.</p>	<p style="text-align: right;">Page 47</p> <p>1 There was false information rendered to the judge during</p> <p>2 that prior time and according to the Third Circuit Court.</p> <p>3 Q. Who is investigating that?</p> <p>4 A. A person can reopen. I got documentation. It is</p> <p>5 going to be reiterated because of the information was</p> <p>6 sent to them was false, false situation.</p> <p>7 Now, temporary and terminated don't mean</p> <p>8 layoff. Okay. Temporary and terminated doesn't mean</p> <p>9 hourly worker. All right.</p> <p>10 Q. Under whose definition, sir?</p> <p>11 A. Under the rules of collective bargaining</p> <p>12 agreement rules.</p> <p>13 Q. What rule are you referring to?</p> <p>14 A. If you go down here to paragraph 4 on that</p> <p>15 exhibit, it says here former employee still have</p> <p>16 seniority rights, do not have a right to be called as</p> <p>17 temporary employees. That's the reason why I was</p> <p>18 rehired. Temporary employees don't get rehired. Okay.</p> <p>19 I was rehired.</p> <p>20 Q. Sir, please read the sentence accurately.</p> <p>21 A. Read it. It says, "Former employees who still</p> <p>22 have seniority rights do not have a right to recall to</p> <p>23 temporary employment." Again, I was --</p> <p>24 Q. Show me, tell me what paragraph number you are</p>
<p style="text-align: right;">Page 46</p> <p>1 I was laid off. And that's what it says up top there.</p> <p>2 "Plaintiff was rehired June the 25th."</p> <p>3 These are my allegations, this is the order</p> <p>4 from the judge for allegation. "Plaintiff was rehired on</p> <p>5 June 25th, 1982 and was again laid off." I wasn't</p> <p>6 terminated or temporary.</p> <p>7 Q. Okay, sir.</p> <p>8 A. That's all I wanted to clear, sir.</p> <p>9 Q. And that's an affidavit from 1982, correct?</p> <p>10 A. This affidavit says 1992.</p> <p>11 Q. I'm sorry. From 1992.</p> <p>12 A. Let's get that correct. '92.</p> <p>13 Q. That was part of a prior lawsuit?</p> <p>14 A. Yes.</p> <p>15 Q. And you lost that lawsuit?</p> <p>16 A. Well, because, again --</p> <p>17 Q. Yes or no, sir?</p> <p>18 A. Yes, because of the fact that it was untimely.</p> <p>19 That's what the judge says.</p> <p>20 Q. If it was untimely in 1992, what makes you think</p> <p>21 it is timely in 2000 and --</p> <p>22 A. This is not the same lawsuit, sir. This is</p> <p>23 retaliation. Besides that, the false information that's</p> <p>24 going to the judge, that's going to be investigated.</p>	<p style="text-align: right;">Page 48</p> <p>1 reading.</p> <p>2 A. Paragraph here, down here by December the 27th,</p> <p>3 1991. Do you see that?</p> <p>4 Q. Yes.</p> <p>5 A. Former employees who still have seniority rights</p> <p>6 do not have a right to be called to temporary employment.</p> <p>7 Q. That says temporary summer --</p> <p>8 A. Summer employment, right, temporary summer</p> <p>9 employment.</p> <p>10 Q. Did you ever apply for temporary summer</p> <p>11 employment?</p> <p>12 A. No. No. Listen to me. No, I didn't. What it</p> <p>13 was, I was recalled back, remember. I started back in</p> <p>14 August, page 1, exhibit -- August the 31st to September</p> <p>15 the 21st, 1981, he was again laid off. Remember,</p> <p>16 temporary employees don't get recalled back. Okay.</p> <p>17 Hourly employee, I was recalled back. Plaintiff was</p> <p>18 rehired back June 25th, '82, was again laid off in</p> <p>19 October of '82.</p> <p>20 So, therefore I wasn't a temporary employee.</p> <p>21 So there it is.</p> <p>22 Q. So under your theory, you have pieced together</p> <p>23 the fact that because you were laid off and then brought</p> <p>24 back, and then laid off again, you were not a temporary</p>

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<p style="text-align: right;">Page 49</p> <p>1 employee?</p> <p>2 A. It is not a theory, sir. This is the collective</p> <p>3 bargaining agreement.</p> <p>4 Q. Sir, were you ever listed on the seniority list?</p> <p>5 A. Sir --</p> <p>6 Q. Yes or no?</p> <p>7 A. Seniority list. They didn't do that right,</p> <p>8 either. They was supposed to list me on there as</p> <p>9 seniority list. Okay. That's another episode. I have</p> <p>10 documentations here, show I wasn't put on the seniority</p> <p>11 list. What is up with that?</p> <p>12 The union says as long as you got the 90</p> <p>13 days in, I got the union agreement here, collective</p> <p>14 bargaining agreement, I can read it to you. Since you</p> <p>15 don't have that, I can read that to you. It says as long</p> <p>16 as you require 30 days -- I can read it to you and</p> <p>17 paragraph Section 4(a), Section 4(c) and the collective</p> <p>18 bargaining agreement.</p> <p>19 If it is all right with you, I like to enter</p> <p>20 that as an exhibit, too.</p> <p>21 See? My rights were violated. I wasn't a</p> <p>22 layoff. I wasn't temporary. I was an hourly worker.</p> <p>23 Q. And all of this happened back in 1992?</p> <p>24 A. This -- this is when I filed the lawsuit.</p>	<p style="text-align: right;">Page 51</p> <p>1 here, you can -- like Judge Farnan says, the allegations</p> <p>2 was set for retaliation. Okay.</p> <p>3 Now, this didn't pop up until -- it is</p> <p>4 September the 8th, 2005. So I was entitled to certain</p> <p>5 things. And here, I was entitled to recall, and</p> <p>6 according to the seniority list, I was never called back.</p> <p>7 Never even put on the seniority list. I had 90 days.</p> <p>8 I'm not trying to throw it in front of these</p> <p>9 people. Man, I'm telling you racial situation and that's</p> <p>10 what we are dealing with here, under the surface. And</p> <p>11 now this pops up. Terminated. Temporary employee. I</p> <p>12 was never a temporary employee. I worked my 90 days. I</p> <p>13 know what I did. I worked my 90 days.</p> <p>14 Mr. Dave Bull, he is going to be a witness</p> <p>15 to the fact if we go to trial on this. This is a fact.</p> <p>16 I ain't got no reason to lie about that. I ain't have no</p> <p>17 reason to lie. They got me listed as temporary.</p> <p>18 Temporary doesn't get recalled back according to the</p> <p>19 records here. Former employees who still have seniority</p> <p>20 rights do not have any recall rights to temporary summer</p> <p>21 employment.</p> <p>22 Now, if I was a temporary employee, I would</p> <p>23 never have got called back, sir.</p> <p>24 Q. Sir, when were you recalled for temporary summer</p>
<p style="text-align: right;">Page 50</p> <p>1 Q. I mean 1982.</p> <p>2 A. '82 when all this transpired, when I was supposed</p> <p>3 to have been a union worker, they was supposed to call me</p> <p>4 back. The union didn't do their job. The management</p> <p>5 didn't place my name on the seniority list. And I was an</p> <p>6 hourly worker. I worked my 90 days. I didn't -- I</p> <p>7 wasn't trying to cause no problems to people.</p> <p>8 Q. Do you remember the plant being shut down during</p> <p>9 that time period?</p> <p>10 A. It was shut down after I worked the '90 days. I</p> <p>11 have all the information there. If you finish reading</p> <p>12 this, I will tell you. I'm saying read it for yourself.</p> <p>13 It says, "General Motors has" -- do you want me to read</p> <p>14 it?</p> <p>15 Q. I don't want you to read it.</p> <p>16 A. Two weeks. Laid off for two weeks. Shut down</p> <p>17 for two weeks. By no time before then I have my 90 days</p> <p>18 in. I worked four months.</p> <p>19 I'm just reading Exhibit B, whatever you</p> <p>20 want to call it.</p> <p>21 Q. Okay. So you are taking issue with how your time</p> <p>22 was calculated back in 1982?</p> <p>23 A. I'm taking issue. No, I'm not, sir. I know</p> <p>24 where you are coming from. Listen. The purpose we are</p>	<p style="text-align: right;">Page 52</p> <p>1 work?</p> <p>2 A. I wasn't no temporary summer worker. I just told</p> <p>3 you.</p> <p>4 Q. Exactly. That says they don't have to be</p> <p>5 recalled for temporary summer work.</p> <p>6 A. Temporary summer work, that means temporary</p> <p>7 people. If you were hire as a temporary, temp, I have a</p> <p>8 union contract, you don't have certain rights as hourly</p> <p>9 employees. Hourly employees are different than temporary</p> <p>10 employees. Known fact.</p> <p>11 Q. Got it. I'm sorry. I will try to make sure we</p> <p>12 don't talk over each other.</p> <p>13 A. Because I like to bring in Exhibit C from --</p> <p>14 Q. Sir, you have to wait until I'm done asking</p> <p>15 questions if you have something you need to add, then she</p> <p>16 will be more than happy to mark whatever exhibit you want</p> <p>17 and let you talk on for 45 minutes if you like.</p> <p>18 But right now you have to answer the</p> <p>19 questions that I'm asking.</p> <p>20 A. No problem. I am. I'm answering fully of my</p> <p>21 situation.</p> <p>22 I'm not temporary. I was an hourly worker</p> <p>23 and rehired back.</p> <p>24 Q. Okay. So to clarify the record, after all of</p>

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<p style="text-align: right;">Page 53</p> <p>1 this, you called in March of 2005, but you don't know who</p> <p>2 you spoke to?</p> <p>3 A. I spoke to some lady on the phone, and I asked</p> <p>4 her were they hiring --</p> <p>5 Q. Okay.</p> <p>6 A. -- again and they said to me that you are all</p> <p>7 washed up.</p> <p>8 Q. Okay. Sir --</p> <p>9 A. We are not accepting applications. And then,</p> <p>10 boom, that's the truth.</p> <p>11 Q. Sir, do you know the names of anybody that was</p> <p>12 hired in March of 2005?</p> <p>13 A. Sir, like I said, that --</p> <p>14 Q. It is a yes-or-no question.</p> <p>15 A. No, because like I said, it was just people that</p> <p>16 worked at General Motors. I don't know everybody -- I</p> <p>17 don't know too many people working up General Motors.</p> <p>18 Q. As you sit here today, you cannot provide the</p> <p>19 Court with the name of any individual that was hired in</p> <p>20 March of 2005?</p> <p>21 A. No, just people there just walk by working at</p> <p>22 General Motors, they said, "Yeah, they hiring." It was a</p> <p>23 bunch of them.</p> <p>24 Q. Okay. Sir, as you sit here today, can you</p>	<p style="text-align: right;">Page 55</p> <p>1 A. Yeah, of the termination, temporary employment.</p> <p>2 That's what we are here for, retaliation.</p> <p>3 Q. Sir, can you please look at Deposition</p> <p>4 Exhibit 4?</p> <p>5 A. Right.</p> <p>6 Q. Now, you've pointed out that there is a sentence</p> <p>7 in here that says in addition to these allegations, you</p> <p>8 believe you were denied benefits that you were entitled</p> <p>9 to because respondent listed you as terminated and not</p> <p>10 laid off after working for respondent previously. Do you</p> <p>11 see that?</p> <p>12 A. What paragraph are you reading from, sir?</p> <p>13 Q. The last sentence of the first paragraph.</p> <p>14 A. What it says, in addition to these allegations,</p> <p>15 you believe you were denied benefits that you were</p> <p>16 entitled to because respondent listed you as terminated</p> <p>17 and not laid off after working for respondent previously,</p> <p>18 yes.</p> <p>19 Q. The next paragraph says the respondent agrees</p> <p>20 that you were an employee during the following periods:</p> <p>21 August 31, '81 to September 21, 1981, and again from</p> <p>22 June 25th, 1982 to October 1, 1982.</p> <p>23 According to the collective bargaining</p> <p>24 agreement, you did not reach the status as an employee,</p>
<p style="text-align: right;">Page 54</p> <p>1 provide the name of any individual that was hired in</p> <p>2 April of 2005?</p> <p>3 A. I can put -- I can do -- look at the list, show</p> <p>4 you the names of people that were hired from '81 clear</p> <p>5 up.</p> <p>6 I have a seniority list here to show you</p> <p>7 that, that reflects that, what you are referring to.</p> <p>8 Q. Sir, we are limited to the allegations in your</p> <p>9 complaint.</p> <p>10 A. Right.</p> <p>11 Q. I want to know if you can name any employee or</p> <p>12 any person that was hired by General Motors as you sit</p> <p>13 here today in March of 2005 or April of 2005.</p> <p>14 A. Sir, it was some people from General Motors</p> <p>15 saying they were hiring. That's all I'm saying to you.</p> <p>16 And that's when I did my investigation, and</p> <p>17 that case, there is not the case that is on, situation</p> <p>18 for allegations of retaliation from the Department of</p> <p>19 Labor.</p> <p>20 Now, I have a copy of their investigation,</p> <p>21 clearly shows that it was retaliation from the Department</p> <p>22 of Labor. I can present that.</p> <p>23 Q. Sir, let's look at what you wanted to bring to</p> <p>24 the Court's attention, which is Deposition Exhibit 4.</p>	<p style="text-align: right;">Page 56</p> <p>1 but remained listed as a temporary employee because,</p> <p>2 quote, employee shall be regarded as temporary employees</p> <p>3 until their names have been placed on the seniority list,</p> <p>4 period, closed quote.</p> <p>5 Further, comma, quote, Employees may acquire</p> <p>6 seniority by working 90 days during a period of six</p> <p>7 continuous months in which event the employee's seniority</p> <p>8 will date back 90 days from the date the seniority is</p> <p>9 acquired, period, close quote.</p> <p>10 Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. Did I read that accurately?</p> <p>13 A. You read it accurately, but --</p> <p>14 Q. Okay. Thank you.</p> <p>15 A. Can I --</p> <p>16 Q. No. The next paragraph says since you did not</p> <p>17 work within a period of six continuous months, you did</p> <p>18 not qualify as an employee with seniority, but listed as</p> <p>19 a temporary employee. Therefore, you do not have access</p> <p>20 to any accumulated benefits.</p> <p>21 Did I read that accurately?</p> <p>22 A. Well, that's --</p> <p>23 Q. Yes or no? Did I read that accurately?</p> <p>24 A. Yes, you did. Yes, you did.</p>

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<p style="text-align: right;">Page 57</p> <p>1 Q. The next paragraph regarding your hiring issue, 2 "Respondent states that no workers have been hired at 3 that site since October 1999 indicating that there were 4 no job opportunities at the time of your inquiry in March 5 2005." 6 Did I read that accurately? 7 A. What they're stating, yes, yes. 8 Q. Thank you. 9 The next paragraph says: "This is to inform 10 you that it will be recommended that the EEOC dismiss the 11 charge. If the charge is dismissed, the commission will 12 issue a decision stating that it is unable to conclude 13 that the information obtained establishes a violation of 14 the statute. The decision would not certify the 15 respondent is in compliance with the statute. The 16 dismissal and right to sue will be sent to you to allow 17 you to file a private suit if you want to pursue that 18 matter further." 19 Did I read that correctly? 20 A. That's correct. Now, can I make my comments on 21 that? This is where the false information comes in at. 22 Okay. I have documentations here from the union, 23 collective bargaining agreement. Okay. It requires you 24 to work 90 days, within the period of six months, okay,</p>	<p style="text-align: right;">Page 59</p> <p>1 Okay. Then employed for 90 days as required 2 under the old collective terms of the bargaining 3 agreement. I required 90 days. Okay. During that 4 period of time, plaintiff was rehired June the 25th, 5 1982, and again was laid off, October 1982. 6 Under certain agreement acquired senior 7 seniority rights. 8 A. I belonged to the union. I wasn't a temporary. 9 Temporary is temporary. That's where they get that and 10 tricked everybody. This is the facts and I have the 11 collective bargaining agreement here, sir. 12 This is what we are going to open up. We 13 coming back. Oh, yes. Because you gave false 14 information to these people and I have documentation to 15 show that from the union contract, it is totally 16 different. 17 And this -- 18 Q. Sir? 19 A. Wait a minute. Let me finish. I gave you a 20 chance to finish. Let me finish. 21 This copy here was sworn dated from David 22 Bull from EEOC rep, representing General Motors, sworn 23 and subscribed before me the day and year first above 24 witnessed.</p>
<p style="text-align: right;">Page 58</p> <p>1 and then it says here, article -- can I get my union 2 book, if you don't mind? 3 Q. You can do it when it is your turn to testify. 4 Right now you are here to answer my questions. 5 A. All right. 6 So, again, according to Exhibit 4, the 7 records reflect from General Motors plaintiff was hired 8 as hourly worker, not a temporary worker. Again, then 9 he -- from workers from August the 31st to September the 10 21st. I was hired as an hourly worker, not a temporary 11 worker. Temporary, this is what they mean by temporary. 12 When you are hired as temporary, this is what you said 13 that's temporary. Hourly worker back in '82. 14 Now, this is dated September 2005 -- 15 Q. Why does that matter? I'm confused. 16 A. Well, it matters because of the fact of the 17 matter is that this here succeeds this. This is way back 18 in '82. The records reflect that General Motors show 19 plaintiff was employed as an hourly worker from August 20 the 31st to September the 21st, 1981 when he was laid off 21 during the period of time he acquired no seniority 22 rights. Didn't say anything about temporary. Okay. 23 Remember, I'm hourly worker. They would 24 have mentioned temporary. This is to their judge.</p>	<p style="text-align: right;">Page 60</p> <p>1 So what you did, you all commit perjury. 2 You the one gave false information. And this will be 3 attended to by the Attorney General. I have a meeting 4 with them sometime this week. 5 And according to General Motors' benefit 6 center, it says here hourly rate employees pension plan. 7 I was an hourly worker. I was never a temporary. You 8 want to see that? This is from General Motors' benefit 9 service center. I wasn't a temporary. Temporaries don't 10 get anything, like you just read. 11 Q. Sir, how many lawsuits have you had against 12 General Motors over this issue? 13 A. Sir, I had five of them. 14 And I'm saying to you, it was incorrect 15 informationally this problem came in. Temporary and 16 terminated. Never was -- never -- you can look through 17 the records. Never once was this ever mentioned. Okay. 18 This is the reason why -- this is all going to go back, 19 because of the false information that was rendered. 20 And under certain Third Circuit Court rules, 21 when somebody misleads the Court, the statute of 22 limitations becomes towed. I can read that case law to 23 you, too, because I have that in the documents. 24 Now, that was all false information that was</p>

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<p style="text-align: right;">Page 61</p> <p>1 given to the Equal Opportunity Commission, the Department 2 of Labor, the District Court. All had information was 3 falsely given.</p> <p>4 According to the records, Dave Bull has 5 here, I was an hourly worker. And like I said 6 previously, former employees who still have seniority 7 rights do not have a right to be called to temporary 8 summer employment. So I wasn't temporary. I was an 9 hourly worker. I was recalled back June the 25th, and 10 again laid off in October '82. So temporaries don't even 11 get a call back.</p> <p>12 I'm keeping this document what you just read 13 as evidence. This is exhibit -- September the 8th.</p> <p>14 Now, the other section is, you said that 15 they didn't hire nobody here, October 1999. To recall 16 the hiring issue, respondent states that no workers have 17 been hired at that site since 1989.</p> <p>18 That's another false information you, 19 General Motors, gave to everyone, including the courts, 20 including the DOL, Equal Opportunity Commission.</p> <p>21 I show you when they start hiring. I got 22 this from a union member, seniority list. It goes way up 23 here when they stop hiring -- start hiring 12/20/81. 24 So you are saying they didn't hire nobody</p>	<p style="text-align: right;">Page 63</p> <p>1 It says here: "Please be advised that the 2 information" -- "Please be advised that the information 3 that you have provided comes under the provision of the 4 Privacy Act of 1974, Public Law 93-579.</p> <p>5 "The authority for requesting the personal 6 information contained herein are provided in 42 USC, 7 2000e(9), 29 USC 201, 29 USC 621, and 19 Delaware Code, 8 712(c).</p> <p>9 "The principal purpose of obtaining this 10 information is to complete the charge of discrimination 11 which will be verified by the charging party and served 12 upon the respondent. In some instances, witnesses' sworn 13 statements may become relevant to determining the charge 14 of discrimination.</p> <p>15 "These forms are used to initiate and 16 investigate the charge of discrimination under the laws 17 and to impeach or subsustained a witness's testimony."</p> <p>18 Okay. And the section they are referring to 19 is retaliation. Remember, this is their own 20 investigation from all the charges or complaints or suits 21 that was filed by me, and never once it was mentioned 22 terminated or temporary, including Dave Bull's letter to 23 Judge Farnan clearly states that he was an hourly worker. 24 Doesn't say anything about temporary or terminated.</p>
<p style="text-align: right;">Page 62</p> <p>1 since 1999. That's a lie. It says here all these people 2 here, '82 to '89, and I was never put on the seniority 3 list. Riley or Livingston or Johnson.</p> <p>4 Q. When was that seniority list created? 5 A. This seniority list was created 1907. 6 Q. I'm sorry. 7 A. Wait a minute. I'm sorry.</p> <p>8 It says here -- this is from report from 9 General Motors seniority list. That's what it says on 10 there, unit ID 1907. This must have been reported some 11 time. I don't know when it was reported, but this is 12 seniority list I received from the union. These guys 13 started here 12/28/81, and you said they didn't hire 14 nobody since October 1999. They hired people from '81, 15 '82, '83 on.</p> <p>16 Mark that as exhibit too, please.</p> <p>17 Q. Considering it is already -- 18 A. I like to make one more statement, that the 19 Department of Labor Privacy Act statement, they got their 20 own investigation. Of course, as you know, that you have 21 to go through the EEOC, Department of Labor, and they 22 were totally unaware of this, too, because all of suits I 23 done brought, they never mentioned I was terminated or 24 laid off. Okay.</p>	<p style="text-align: right;">Page 64</p> <p>1 Okay.</p> <p>2 Now, the investigation charge of 3 discrimination, this form is affected by the Privacy Act 4 of 1974. Okay?</p> <p>5 Now, it says here the charge is applicable 6 dealing with retaliation. "Brief statements of 7 allegation, charging party alleges that are retaliated 8 against him because of negative statements made regarding 9 his job status during an EEOC investigation."</p> <p>10 And by the way, I have a complaint with the 11 department of disciplinary counsel about these issues, 12 false information. Possibly somebody is going to get 13 disbarred because of these reasons. Okay. I have a copy 14 of a complaint with them. You can check with them. 15 There is a complaint because of the false allegations was 16 sent. Corrupt justice here.</p> <p>17 Okay. "Consistently charging party claims 18 that respondent falsely stated that he was temporary 19 employee instead of a permanent employee, which has 20 affected his union benefits. Charging party claims that 21 he was laid off as an hourly worker, employee and 22 respondent hired white workers without contacting him 23 first. Thereafter charging party filed a racial 24 discrimination charge which resulted in false information</p>

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<p style="text-align: right;">Page 65</p> <p>1 given to the EEOC about his job status as a temporary 2 worker." 3 It says here: "Unanimously charging party 4 claims that this is further evidence that respondent's 5 information is a form of retaliation because it affected 6 his current benefit status. Respondent explained 7 charging party claims that respondent has not given a 8 reason explaining for placing him as a temporary worker 9 after investigation while he previously worked as an 10 hourly worker under a previous agreement." Okay? 11 "Applicable law(s): Title VII of the 12 Delaware" -- "of the Civil Rights Act of 1964, as 13 amended; Delaware Discrimination Employment Act. 14 "Comparator(s) or other specified reason(s) 15 for alleging discrimination: Charging party claims that 16 respondent's information during an EEOC investigation has 17 revealed further adverse action in the form of 18 retaliation because the information has negatively 19 affected his union benefit status. Charging party claims 20 that during a legal proceeding, Dave Boyle, respondent's 21 EEOC representative, gave an affidavit that charging 22 party was an hourly worker and under agreement acquired 23 certain seniority rights under the previous collective 24 bargaining agreement." Not the one that they were saying</p>	<p style="text-align: right;">Page 67</p> <p>1 number 06-669 for deposition. I have a copy of that. 2 I'm going to mark that exhibit, as well. Okay. It 3 didn't reflect 05-877. 4 Q. Sir, whatever you want to mark you have to mark 5 when I'm done. I've now reached the point of being 6 frustrated with being stopped every five minutes because 7 you want to mark something. You get to mark whatever you 8 want and say whatever you want after you answer my 9 questions. Please focus on what has been marked as 10 Deposition Exhibit -- I'm so confused I don't even see it 11 anymore. 12 A. You are trying to make me say yes to something 13 which I have documents show otherwise. I can't say yes 14 to that. You said that 05-877 -- 15 Q. Sir, please focus your attention on the complaint 16 that is dated -- 17 A. Now you talking about complaint. You said 18 deposition at first. 19 Q. I said complaint. 20 A. You said deposition of 05-877. 21 Q. Yes. 22 A. This is complaint. 23 Q. That's the allegations that -- please stop. 24 That's the complaint that we have been discussing,</p>
<p style="text-align: right;">Page 66</p> <p>1 way back in September 2008. 2 That's another false situation. You are 3 talking about the previous. Additional information and 4 verification of these facts are provided by attached 5 verification. And that was the verification that we have 6 here. 7 (Discussion off the record.) 8 (Anderson Deposition Exhibits 5, 6, 7, 8, 9, 9 10 and 11 were was marked for identification.) 10 BY MR. WILLIAMS: 11 Q. Okay. Sir, we are going to try to get this 12 deposition back on track and I'm going to ask that you 13 have now marked all these exhibits, correct? 14 A. That's correct. 15 Q. Now, the allegations in the case that is listed 16 as 05-877 relate to a phone call made in March, correct? 17 Yes or no? 18 A. Wait a minute. Can I say something? 19 Q. No. 20 A. The case -- 21 Q. You've now had 20 minutes to read -- 22 A. I know what you are saying. I want to state one 23 thing. 24 I've got a copy here from the courts, case</p>	<p style="text-align: right;">Page 68</p> <p>1 correct? 2 A. Complaint, yes. But you said "deposition." I 3 just want to clarify things. I don't want you to put 4 things in my mouth, sir, when I heard you said 5 deposition. She can read it back. That's all I'm just 6 saying. 7 Q. Please focus on the complaint that has been 8 marked Deposition Exhibit 2. 9 A. What -- what was the number of the case number 10 for deposition? 11 Q. Just look at the deposition exhibit. It says 12 Anderson 2. 13 A. This is -- this is complaint. This is not a 14 deposition. Right here. Anderson 2, complaint. It says 15 on top, "Complaint." See there? Don't put words in my 16 mouth. I'm being frank and straight up with you 17 truthful. 18 Q. What we have here is a failure to communicate. 19 I'm going to try and say it very slowly. 20 Do you see the sticker at the bottom of the 21 document? 22 A. Yes. 23 Q. Does that say "Deposition Exhibit"? 24 A. Well, it says there "Deposition."</p>

17 (Pages 65 to 68)



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<p style="text-align: right;">Page 69</p> <p>1 Q. That says "Deposition Exhibit Anderson 2,"</p> <p>2 correct?</p> <p>3 A. That's correct.</p> <p>4 Q. I want you to focus your attention on the</p> <p>5 document that has been marked for this deposition as</p> <p>6 Deposition Exhibit 2. Do you see that document?</p> <p>7 A. Okay, but that's not a deposition. This here is</p> <p>8 a complaint.</p> <p>9 Q. Sir, we refer to it by the exhibit number. I</p> <p>10 understand it is a complaint but --</p> <p>11 A. All right. I'm just saying what I'm seeing. You</p> <p>12 are saying "deposition" and the thing says "Complaint,"</p> <p>13 but it says down the bottom, "Deposition."</p> <p>14 Okay. I want to get clarified on that. I'm</p> <p>15 not going to say things that is not contrary to what is</p> <p>16 on the complaint here. I'm looking at and you saying</p> <p>17 "Deposition." This is the complaint. It doesn't say</p> <p>18 "Deposition." It says "Complaint." That's all I just</p> <p>19 want to clarify that. That's all.</p> <p>20 Q. Why don't we take a break?</p> <p>21 A. I'm saying we can go ahead.</p> <p>22 Q. Let's take a five-minute break.</p> <p>23 A. Evidently you saying "Complaint" and "Deposition"</p> <p>24 is two different things.</p>	<p style="text-align: right;">Page 71</p> <p>1 the title of the document is. I'm referring to the</p> <p>2 number that the court reporter has assigned it for</p> <p>3 reference by the Court.</p> <p>4 Are we on the same much page now?</p> <p>5 A. Now we are, correct.</p> <p>6 Q. So this document is Deposition Exhibit 2. It is</p> <p>7 not to confuse you. It is not to prolong the deposition.</p> <p>8 It is so we all have the same point of reference.</p> <p>9 Do you understand that now?</p> <p>10 A. I understand that now. You didn't explain it to</p> <p>11 me at first. Because I'm looking at the complaint and</p> <p>12 you are saying "Deposition."</p> <p>13 Q. Thank you.</p> <p>14 A. You want me to refer to something and that's</p> <p>15 untruthful. I'm looking at a complaint. Now you are</p> <p>16 telling me Anderson Exhibit 2. I understand that now and</p> <p>17 make sure that's clarified with the court reporter. I</p> <p>18 understand.</p> <p>19 Q. We are going to take a five-minute break.</p> <p>20 A. You got to explain things to me and I didn't</p> <p>21 understand what you are saying, sir. It ain't my fault.</p> <p>22 I think it is your fault.</p> <p>23 Q. That's fine.</p> <p>24 A. Now you explained it.</p>
<p style="text-align: right;">Page 70</p> <p>1 MR. WILLIAMS: For the Court's edification</p> <p>2 and to make sure we are on the same page, we have now</p> <p>3 been at this for -- can you tell me? Do you have the</p> <p>4 time marked as what time we started?</p> <p>5 THE COURT REPORTER: 9:15.</p> <p>6 MR. WILLIAMS: 9:15. It is now, by my</p> <p>7 watch, 10:45. We are still getting through the basic</p> <p>8 allegations of this.</p> <p>9 Sir, I'm going to make sure we explain this</p> <p>10 on the record so that if I have to call the Court and say</p> <p>11 you are needlessly wasting time and causing this to be an</p> <p>12 undue expense, I want you to understand what I'm saying.</p> <p>13 When you are in a deposition, this is the</p> <p>14 court reporter. The court reporter's job is to take down</p> <p>15 everything that is said, and she keeps the official</p> <p>16 record of what documents or exhibits are provided during</p> <p>17 the deposition. In that capacity, as the official court</p> <p>18 reporter, she marks documents with an exhibit number so</p> <p>19 that the Court can refer to it by that exhibit number.</p> <p>20 A. Okay. You didn't tell me that first. You didn't</p> <p>21 explain that to me first. Now I understand.</p> <p>22 Q. I'm going to explain it.</p> <p>23 So when I ask you to refer to Deposition --</p> <p>24 let's say Deposition Exhibit 4. It doesn't matter what</p>	<p style="text-align: right;">Page 72</p> <p>1 Q. I will say it is my fault and now we are all on</p> <p>2 the same page.</p> <p>3 A. Thank you.</p> <p>4 Q. And we can go forward.</p> <p>5 (Recess taken.)</p> <p>6 BY MR. WILLIAMS:</p> <p>7 Q. Do you understand we are back on the record?</p> <p>8 A. That's correct.</p> <p>9 Q. And you also understand that you are still under</p> <p>10 oath?</p> <p>11 A. Yes.</p> <p>12 Q. Focusing your attention on Deposition Exhibit 2,</p> <p>13 which we were discussing earlier, we have discussed the</p> <p>14 telephone call you allegedly made in March of 2005,</p> <p>15 correct?</p> <p>16 A. That's correct.</p> <p>17 Q. We have also discussed the letter from</p> <p>18 September 8th of 2005 which was marked as Deposition</p> <p>19 Exhibit 4.</p> <p>20 A. Correct.</p> <p>21 Q. Do you have any phone records or any documents</p> <p>22 that show you made the call to General Motors in March of</p> <p>23 2005?</p> <p>24 A. No, because they do not record -- I'm not</p>

18 (Pages 69 to 72)

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<p style="text-align: right;">Page 73</p> <p>1 supposed to record them without their permission and I 2 didn't get a chance. That's the only proof I would have 3 had. I didn't get a chance to do so because she hung up 4 so quickly. 5 Q. Okay. Are there any other allegations that form 6 the basis of what has been marked as Deposition 7 Exhibit 2? 8 A. Yes. The allegation stating that they hired 9 people -- they didn't hire nobody until October 1999, 10 which seniority list showed they hired clear on up so 11 many years from '81 on. 12 Q. And that is related to what? 13 A. That's related to the information that was sent 14 to Deposition Number 4, which she clearly states that 15 General Motors never hired anybody until October of 1999. 16 Q. What document do you allege that shows that they 17 were hiring people? 18 A. Okay. The document that I have here -- 19 Q. It is a marked exhibit, correct? 20 A. Yes. Exhibit -- is that 1 or 11? 11. 21 Q. And as we look at Exhibit 11, it says it appears 22 to be, for the Court's records, a unit. It is a 23 seniority list, without a date on it, but it appears to 24 show people with seniority from 1981 and 1982. And it is</p>	<p style="text-align: right;">Page 75</p> <p>1 how you understand it? 2 A. Yeah, but the only reason why I'm using that is 3 to explain to the deposition taken for retaliation is 4 that I was an hourly worker. I was never a temporary 5 worker. Okay. Temporary and hourly are two different 6 things. So I'm using that as comparable to an hourly 7 worker. 8 Q. Have you ever seen in the contract that it says a 9 person -- let me stop for a second. Strike that last 10 question. I'm sorry. 11 How were you paid when you worked at General 12 Motors? 13 A. Hourly salary, every Thursday. 14 Q. And when you say "hourly salary," you mean for 15 every hour you worked you were paid a certain amount of 16 money? 17 A. Exactly. 18 Q. So you were paid on an hourly basis? 19 A. Basis. 20 Q. Whether it be \$10 an hour or \$11 an hour? 21 A. That's correct. 22 Q. Were you ever placed on salary? 23 A. No. Just hourly worker like everybody else up 24 there.</p>
<p style="text-align: right;">Page 74</p> <p>1 dated. I'm sorry. There is a date on the second page, 2 4/24/93. 3 Anything else with regard to the allegations 4 in Deposition Exhibit Number 2? 5 A. Okay. I was never called back, either. 6 According to Dave Bull, which I was supposed to have been 7 called back, according to time for time, back in '82. 8 Okay. Now, that is on Exhibit -- 9 Q. Sir, that's part of Exhibit 1? 10 A. Exhibit 1, okay. 11 Q. And I think you also marked it as a separate 12 exhibit. 13 A. Exhibit 1, okay. Exhibit 10 it says here. 14 Q. Okay, sir. And that, in Exhibit 10, it says that 15 your time expired on a time-for-time basis, correct? 16 A. Yeah, at that particular time, it expired for 17 time-for-time basis. 18 Q. What does that mean to you when it says your 19 seniority expired on a time-for-time basis? 20 A. On a time-for-time basis, that your time frame 21 had expired. Simple as that. 22 Q. Meaning if you worked for four months at General 23 Motors, your seniority expires after four more months 24 because if you are on layoff, is that correct? Is that</p>	<p style="text-align: right;">Page 76</p> <p>1 Q. Okay. 2 A. I think salary, salary persons are persons who 3 work in the office or something. I'm not sure. I got to 4 look at the contract. 5 Q. I'm going to hand you what has been marked as 6 Deposition Exhibit 3. Do you see that document? 7 A. Yes. 8 Q. And is that document denoted as the complaint in 9 case 06-669? 10 A. That's correct. 11 Q. If we turn to the second page of Deposition 12 Exhibit 3, under paragraph 9 it says: "Charging party 13 claims that respondent" -- and I'm sorry. Let me back up 14 for a second. 15 This document was filed on October 30th of 16 2005, correct? 17 A. That's correct. But the judge had consolidate 18 these, as you remember. 19 Q. Thank you. 20 A. Okay. 21 Q. I understand. 22 A. Let's get that clear. I want to be clear. 23 Q. Focus on Deposition Exhibit 3. Under paragraph 24 9, am I reading this accurately where it says: "Charging</p>

19 (Pages 73 to 76)

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<p style="text-align: right;">Page 77</p> <p>1 party claims that respondent's information during an EEOC 2 investigation has revealed further adverse action in the 3 form of retaliation because the information GM had listed 4 med as a temporary employee (in which it is false)." 5 Did I read that accurately? 6 A. Yes. 7 Q. The next sentence says: "During a legal 8 proceeding, Dave Bull, GM's EEOC representative, gave an 9 affidavit stating I was an hourly worker and under 10 agreement acquired certain seniority rights under the 11 previous bargaining agreement." 12 Did I read that accurately? 13 A. That's correct. 14 Q. The next sentence says: "(To this Court) From 15 the Records of GM. See copy charging from (DOL) 16 attached. Exhibit A." 17 A. That's correct. 18 Q. And in this you say that your discrimination is 19 based on race? 20 A. That's correct. 21 Q. You say you want your job back, back pay, and 22 money for pain and suffering. 23 A. That's correct. 24 Q. You haven't worked at General Motors since 1982,</p>	<p style="text-align: right;">Page 79</p> <p>1 and I was laid off. This comes up saying I was a 2 temporary worker. I worked my 90 days and paid my union 3 dues. 4 Q. Sir, when was the last time you paid union dues? 5 A. Well, back then I paid union dues at the time. 6 Temporaries don't pay union dues because they are 7 temporary. 8 Q. When was the last time -- 9 A. That was probably way back in '82, '83. Still 10 the fact remains that I paid my union dues and I worked 11 the required 90 days. 12 Q. Okay. How is that retaliation? 13 A. Retaliation -- like I just told you for the 14 second, third time, temporaries don't even get any 15 benefits. Temporary. I lost union benefits. I lost 16 some type of pension plan for the union, C sub benefits 17 because when they list you as temporary, I have a copy of 18 that. If you don't mind, if I can bring that out -- 19 Q. No. You have to do that on your own time. 20 A. Okay. 21 Q. Answer this question, sir: What actions did 22 General Motors take in 2005 that you allege retaliated 23 against you? Is it simply providing a statement to the 24 EEOC?</p>
<p style="text-align: right;">Page 78</p> <p>1 correct? 2 A. That's correct. 3 Q. Dave Bull's affidavit that's been marked as an 4 exhibit is dated from 1992, correct? 5 A. That's correct. 6 Q. The information that you allege formed the basis 7 of whatever this new complaint is that's been marked as 8 Deposition Exhibit 3 relates to information provided to 9 the EEOC that you deemed to be inaccurate, correct? 10 A. From the information as far as retaliation and my 11 job status, yes. 12 Q. Okay. What about providing what you allege is 13 inaccurate information to the EEOC forms the basis of a 14 retaliation claim? 15 A. Well, they list me -- again, they listed me as 16 temporary, and temporary employee doesn't get any 17 benefits or union benefits, and also terminated, which it 18 clearly shows, record shows I was laid off. 19 You know, as again, as again stated, 20 temporary employees do not get recalled back. 21 Q. Are you aware of any changes to your record since 22 you left in 1982? 23 A. Yes. This information here, September of 2005. 24 According to records of Dave Bull, I was hourly worker</p>	<p style="text-align: right;">Page 80</p> <p>1 A. No, no. 2 Q. Who else did they provide information to or do 3 something in October that relates to the October 2005 4 complaint? That's what I want to know. 5 A. What I'm trying to tell you, again, they list me 6 as terminated. 7 Q. When did they list you as terminated? Let's try 8 that. 9 A. I don't remember. This is the records at the 10 EEOC. Evidently, it had to be shortly some time when I 11 filed that complaint in April of 2005, and this came up 12 after they did their own investigation. I never knew 13 about this. Okay. 14 Like I said, Dave Bull had a letter -- 15 exhibit -- can I use that exhibit? 16 Q. It is Exhibit 10 you have now shown me. We 17 understand what Exhibit 10 says. 18 A. Dave Bull says I was hourly worker and I was laid 19 off. 20 Q. Are you aware of any new affidavit other than the 21 one that Mr. Bull has done? 22 A. Well -- 23 Q. In 1992? 24 A. No. That is the records from Dave Bull to Judge</p>

20 (Pages 77 to 80)

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<p style="text-align: right;">Page 81</p> <p>1 Farnan, affidavits to the judge, sworn statement, two 2 affidavits to Dave Bull -- to the judge. 3 Q. Are you aware of any statements that Mr. Bull or 4 anyone else on behalf of General Motors has made to 5 anyone in 2005 that form the basis of your lawsuit? 6 A. Can you say that again? 7 Q. Okay. 8 When were you -- you listed some benefits, C 9 sub, retirement and other things. When were you denied 10 those benefits? 11 A. Oh, that was like -- I found out through 12 federal -- Fidelity they sent me a letter asking me do I 13 want to know what my 401(k) is doing. This is all how 14 this all came about. And I said -- 15 Q. Okay. But, sir, when did you get this letter 16 from Fidelity? 17 A. Back in around 2005, somewhere around that period 18 of time. 19 So they told me, well, Mr. Anderson, General 20 Motors got you listed as terminated, so you lose all 21 those benefits and stuff. And C sub, C sub is where they 22 pay you sub while you off on layoff or indefinite layoff. 23 Q. Have you received any payments from General 24 Motors while you were --</p>	<p style="text-align: right;">Page 83</p> <p>1 Q. So from 1982 to this date in 2007 you hadn't 2 received any benefits from General Motors? 3 A. No, no. I have a contract with the union because 4 I was an hourly worker. They know it. And it says 5 eligibility for C section, says your definite layoff from 6 General Motors must have commenced prior to 7 October 1st, 1990, and you must remain continuously off 8 from General Motors thereafter. And I was laid off in 9 '82. As you see, Dave -- Dave -- this was sent to the 10 department of eligibility at Fidelity. 11 Q. Did you request that information from Fidelity? 12 A. I have the union book. When you become a member, 13 you get a union book. Here is my union book. Once you 14 become a member they give you. When you work there for 15 90 days, they give you the union book. This is the union 16 book. This is the collective bargaining book I was 17 talking to you about earlier. 18 See? You get all that when you become a 19 union. Temporaries don't get none of that. None at all. 20 They just temporary help. They don't give them that. 21 Hourly workers get that. 22 And I sent this copy, also, to state 23 insurance commissioner, which is handling this matter for 24 me, the eligibility for C sub and E sub. It says here</p>
<p style="text-align: right;">Page 82</p> <p>1 A. No. That's the issue. I worked my 90 days and 2 never got a payment from them. And C sub told me General 3 Motors got me listed as terminated. 4 Q. Who did you contact at C sub? 5 A. The analyst department at the Fidelity, Mr. -- 6 what was his name? I have that information in my 7 briefcase here. 8 Q. Have you produced any information on 9 communications with Fidelity? 10 A. Yes, yes. And also I got a letter from -- 11 Q. Who did you give that information to? 12 A. I faxed it -- can I get that? 13 Q. Sure. 14 A. Because my recollection... Steven Ries, first 15 name Steven, Ries, R-I-E-S, last name. He is analyst for 16 Fidelity. Now, this was October the 9th, '07. I spoke 17 to him about this C sub. It says here -- 18 Q. Wait. Let me ask you this question: From the 19 time you were discharged in 1982 to 2007, had you ever 20 received any C sub benefits? 21 A. None. 22 Q. Had you ever received any benefits from General 23 Motors? 24 A. No.</p>	<p style="text-align: right;">Page 84</p> <p>1 continuing sub benefits C sub and extended sub benefits, 2 E sub. 3 Q. But you never received C sub benefits? 4 A. I didn't receive anything. That's the whole 5 thing, chief. I didn't receive anything. 6 Q. You didn't go to anyone in 1989 or 1983 or 1992 7 or any year between 1982 when your employment ended and 8 the present until that letter about the -- 9 A. Well, the information I was gathering, and the 10 information that I got here, it wouldn't lead because 11 they got me listed as temporary and terminated and I 12 didn't get anything. 13 Like I said previous, the only reason I 14 brought this up, I received a letter from Fidelity 15 telling me that, Do you want to know what your old 401(k) 16 is doing? I called them up on the phone and they said 17 you can't get any benefits because General Motors got you 18 listed as terminated. I said, "They did what?" 19 Retaliating against me. See, I was entitled to C sub and 20 all those benefits. 21 Q. Where is the letter from Fidelity? 22 A. Let me see about that. Here. Right here. And 23 there is another letter here I want you to see. Let me 24 see here. Here it is here from the benefit -- General</p>

21 (Pages 81 to 84)



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<p style="text-align: right;">Page 85</p> <p>1 Motors, up here in the corner.  2 Q. Okay.  3 A. That's what exhibit?  4 Q. Where is the rest of this? This is a cover sheet  5 to a package that was probably mailed to you?  6 A. It wasn't a package. Let me see that. I'm going  7 to tell you. It wasn't a package. It was to show you I  8 was an hourly employee. This deals with my pension plan.  9 Q. That's the only document they sent you in there?  10 A. From the -- yeah. From that it is. And then I  11 also got this here from Fidelity about the 401(k).  12 Temporaries don't get none of those  13 benefits. You had to be hourly worker to get that stuff.  14 Q. Sir, this letter is dated March 9th of 2005?  15 A. Right. That's what I just told you. It was back  16 in 2005 when I received that letter telling me I have a  17 401(k). That's when I decided to look into this. And I  18 asked them were they doing any hiring. And I went to the  19 Department of Labor and this is what they revealed. They  20 told me beforehand --  21 Q. Sir, show me on this where it says you have  22 information about your 401(k) on here.  23 A. It says here website www401k.com. This is the  24 information that you go look in to see if you have</p>	<p style="text-align: right;">Page 87</p> <p>1 And also the pension, so they sent me this  2 information, they told me about Fidelity, back in March  3 of 2005, they told me that, Mr. Anderson, General Motors  4 got you listed as terminated. So, therefore, you don't  5 get any benefits.  6 That's the reason why I went on and did what  7 I had to do, did this investigation and this pops up,  8 Exhibit 4, temporary and hourly employee.  9 There is all the documentations here from  10 benefit center proving I was hourly employee.  11 Q. Just for the Court's edification, this is marked  12 as Anderson Exhibit 9, and I will reference to the Court  13 that at one corner it says appears to be October 5, 2007,  14 has Roland Anderson and address says: "Re: Hourly  15 Employee Pension Plan," the plan, and has Roland Anderson  16 and then has a big blank. There appear to be no other  17 documents or information.  18 A. Well, I that information --  19 Q. Provided with this --  20 A. I can bring --  21 Q. You can't talk while I'm talking.  22 That are provided with Deposition  23 Exhibit 9, just what appears to be a cover sheet to a  24 mailing?</p>
<p style="text-align: right;">Page 86</p> <p>1 401(k).  2 Q. This says that you applied for a pin number?  3 A. Yes. Well, pin number. They use its pin number  4 when you go into your account. Like any other account,  5 they give you a pin number or you make it up to go into  6 your account.  7 Q. Did you go into this account?  8 A. Yes. And every time I called there, it tell --  9 Q. What did the account show?  10 A. Well, I'm going to explain it to you now when I  11 called there.  12 Q. No, no, no. You have to answer my question.  13 What did the account show?  14 A. It didn't show anything because I couldn't get in  15 there. That's what I'm trying to tell you. I couldn't  16 get in.  17 Q. Could it be because there was no account because  18 it didn't exist?  19 A. No. It didn't say that. I'm going to tell you  20 what the recording says. The recording says that  21 "Unavailable for calculation at this time." Because we  22 are talking about '82. It says "Unavailable for  23 calculation at this time." And I've been dealing with  24 these Fidelities ever since then.</p>	<p style="text-align: right;">Page 88</p> <p>1 A. Well, the information that was here pertains to  2 hourly employees, just to show justification that I  3 wasn't a temporary or terminated. That's all this letter  4 states.  5 Q. Is there anything else that forms the basis of  6 the complaint that has been marked as Deposition  7 Exhibit 3?  8 A. Okay. According to the Department of Labor, this  9 is, upon their investigation, what they found.  10 Like I said earlier, privacy act statement,  11 "The authority for requesting the personal information  12 contained herein are provided in 42 USC 2000e(9), 29 USC  13 201, 29 USC 621; and 19 Delaware Code 712."  14 Okay. These are the -- their findings upon  15 the information that I had presented to them, like we are  16 at his deposition, same information was provided to them  17 at that time, as requested from -- from the Department of  18 Labor, entering charge number 06020096W, and the EEOC  19 Philadelphia charge number 17CA600275.  20 This is upon their own investigation. And  21 false information was presented to them on Exhibit 4,  22 September the 8th of being terminated, and then they said  23 temporary. Two different things here.  24 Anyway, and information was sent by Dave</p>

22 (Pages 85 to 88)



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<p style="text-align: right;">Page 89</p> <p>1 Bull, Exhibit 10, clearly states that I was an hourly 2 worker. And also Exhibit 9, from GM Benefits Center 3 clearly states I was an hourly rate, make sure, hourly 4 rated employees' pension plan. 5 Now, that letter is only to verify, to show 6 income coherent with the allegation of General Motors 7 stating I was a temporary. 8 And what else they got here? I was 9 temporary and terminated employee. This clearly states I 10 was an hourly rated employee, from these two letters from 11 Fidelity and from General Motors Benefit Service Center. 12 Q. Okay, sir. 13 A. Thank you. 14 Q. What about General Motors telling the EEOC that 15 you were terminated as opposed to laid off as you allege, 16 affected -- okay. 17 What about General Motors telling the EEOC 18 that you were terminated as opposed to laid off as you 19 contend had any adverse action -- strike that. 20 It is your allegation that General Motors 21 told the EEOC that you were terminated and not laid off, 22 correct? 23 A. The allegations are the facts that what was 24 discovered from the EEOC.</p>	<p style="text-align: right;">Page 91</p> <p>1 Q. Yes or no? 2 A. No. 3 Q. And after that date you weren't receiving any 4 benefits? 5 A. No. 6 Q. So nothing about the benefits that you were 7 receiving changed? 8 A. Because it was incorrect job status. This the 9 reason why Fidelity told me, again, told me that -- they 10 sent me a letter about the 401(k) and then I called them 11 up on the phone and I had questioned them. And then I 12 also called the pension up. Oh, General Motors has you 13 down as terminated. I didn't get any benefits. Again, I 14 told you, temporary and -- temporary and terminated. 15 Don't get any benefits. 16 Q. Sir, that doesn't address my question. 17 A. The question is no, I didn't get any benefits 18 because -- 19 Q. You haven't gotten any benefits for 20 years? 20 A. No, because of that -- these are the reasons. 21 Now I'm finding out later on because the letter from Dave 22 Bull had written saying I was laid off from hourly 23 worker. 24 Now, as of 2000 -- September '05, they said</p>
<p style="text-align: right;">Page 90</p> <p>1 Q. Is that a yes or no? 2 A. Yes. 3 Q. What about that statement to the EEOC affected 4 your employment or the money you were getting or anything 5 in 2005 when you filed this complaint? 6 A. I don't understand the question. But I'm going 7 to explain that to you again, sir. 8 Q. What changed after you got that letter dated 9 September 8, 2005, and before what was different? 10 A. Okay. Okay. Okay. The difference is that they 11 listed me as terminated, and terminated, they do not get 12 any benefits. 13 Q. Okay, sir. Let me stop you. 14 Were you getting any benefits from September 15 8th, 2005? 16 A. The reason why -- 17 Q. Yes or no? 18 A. No. 19 Q. Were you getting any benefits after 20 September 8th of 2005? 21 A. No. 22 Q. Were you getting any C sub or any kind of other 23 payments from General Motors before September 2005? 24 A. No, and the reason why is --</p>	<p style="text-align: right;">Page 92</p> <p>1 I was temporary and terminated after the information I 2 had talked to Fidelity about this letter dated March 9. 3 Q. Sir, Mr. Bull said your employment expired on a 4 time-for-time basis after that, too, didn't he? 5 A. Okay. Yes, because the fact of it was I was on 6 an hourly worker. I wasn't temporary. I wasn't laid 7 off. Okay. 8 Now, you keep wanting the agenda that we 9 hear from Judge Farnan is the allegation of retaliation. 10 Now, I have a copy from Mr. -- I mean Judge Farnan's 11 order that was sent to me the other day for retaliation. 12 That's what we are here for. We talking about this 13 letter here. 14 Now, terminated and temporary involves my 15 benefits. 16 Q. That you hadn't received ever? 17 A. I know I was still entitled to them according to 18 these people. General Motors got me listed. That's the 19 reason why it was retaliation. They put me down as 20 terminated and temporary. I don't get none of these. 21 Q. Sir, did you file a complaint with the NLRB with 22 regard to the union -- 23 A. Yes. 24 Q. -- not fighting for you to get these benefits?</p>

23 (Pages 89 to 92)

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<p style="text-align: right;">Page 93</p> <p>1 A. This is what they said. If you want me to 2 explain -- 3 Q. Yes or no? 4 A. Yes. 5 Q. And in that you were denied any benefits by the 6 NLRB, correct? 7 A. That's correct. 8 Q. And you were denied any benefits by the 9 international union? 10 A. Yes. 11 Q. And you were denied benefits by the local union? 12 A. Sir, that doesn't make -- 13 Q. Yes or no? 14 A. Yes, I'm going to explain something to you. 15 Q. Sir, you have to answer my questions, and then at 16 the end if you want to explain for hours, she will be 17 more than happy. 18 A. Okay. 19 Q. But we are now getting to the point where you are 20 not answering questions and you are again talking over 21 me. 22 If you were denied benefits by the local 23 union and the local union refused to file a grievance, 24 you were denied benefits and deny the right to file a</p>	<p style="text-align: right;">Page 95</p> <p>1 Q. Sir, when was this information allegedly provided 2 to Fidelity? Do you know a date? 3 A. Well, they told me sometime -- they are not at 4 liberty to tell me. Only time I found this out, when 5 they sent me this letter way back in 2000. I'm curious. 6 There is the letter right here. I said let me check on 7 this. That's when it came up. 8 They told me, my hand to God, they said 9 that, Mr. Anderson, they got you down as terminated. You 10 don't get any benefits. I said, "Wait a minute. I was 11 an hourly worker." Until General Motors changed that, 12 until they changed that, that's the only reason why I 13 wanted to get this taken care of. 14 I'm not worried about the suit. I want 15 justice. I worked my 90 days in. And they said 16 theirself that I was entitled to these types of issues 17 and benefits from the union contract once you reach the 18 90 days. That's the same thing as you, yourself, work 19 90 days. Don't you want your benefits? 20 Q. Who at Fidelity told you you were entitled to 21 benefits? 22 A. In this section, from this section here, 23 "Confirmation of activity. Please contact us if you wish 24 to make transactions." This is the part you didn't read,</p>
<p style="text-align: right;">Page 94</p> <p>1 grievance by the international union and the NLRB denied 2 you any benefits or the right to file a grievance, how is 3 that different than what you are trying to pursue now and 4 saying you should have gotten benefits? 5 A. Again, the date of this letter, Deposition 4, 6 September 2008, this was revealed. Okay. This was 7 revealed. The letter that we received from Dave Bull to 8 the judge clearly shows that I was an hourly worker. 9 Now, the answer to your question why didn't 10 I get paid, maybe because they was going on this and 11 that's the same thing with Fidelity went on, false 12 information. I was an hourly worker. Okay. And that 13 fact of -- the fact remains today until I get that 14 changed. You can call Fidelity. You can call all these 15 people up. Exhibit 9 clearly states that I was an hourly 16 worker. Exhibit here, 401(k), pin number. 17 Now, the information was probably fed to 18 them, this. I didn't know anything about it. Because it 19 wasn't sent to the courts. It was sent to these 20 individuals. This is where it first started from, 21 Fidelity. That's how it started. It was never sent to 22 the courts. 23 If so -- listen. If so, Dave Bull would 24 have made that statement to the judge himself.</p>	<p style="text-align: right;">Page 96</p> <p>1 inquiring on your account. You understand me. You 2 didn't read that. I'm going to read this now or ask 3 questions regarding this confirmation. 4 And I called because of this confirmation. 5 That's when they told me, "Hey, Mr. Anderson, they listed 6 you in the computer as terminated, so you don't get any 7 benefits." 8 Q. You haven't worked since when? 9 A. Sir, it doesn't -- 10 Q. Sir, answer the question, please. 11 A. I haven't worked since 1984, '85. 12 Q. Since 1984 you were on Social Security 13 disability? 14 A. Yes, because of my nerves. 15 Q. In order to get Social Security disability, you 16 have to certify to the federal government that you are 17 incapable of working, correct? Yes or no? 18 A. Yes, I have -- 19 Q. And you actually have to have a medical doctor 20 certify that you are incapable of working, correct? 21 A. That's correct. I have -- 22 Q. Stop. 23 Have you gotten any certification from any 24 doctor allowing you to return to work?</p>

24 (Pages 93 to 96)

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<p style="text-align: right;">Page 97</p> <p>1 A. I have a situation where I talked to the doctor 2 about possibly working part-time or doing something. I 3 need to do something. My nerves jittery like it is. My 4 doctor put me on situation and I spoke to the doctor and 5 it is possible that I can probably just work part-time or 6 do something. 7 Q. When did you speak to the doctor? 8 A. Oh, this is way back, around '83, '84, the doctor 9 is now dead. 10 Q. And since then have you ever talked to any doctor 11 about returning to work full-time? 12 A. Well, not exactly. But I want to go back to work 13 and do something. That's the reason why I called up 14 General Motors to see if they were accepting any hiring 15 under curiosity. 16 Q. Have you applied anywhere else for full-time 17 employment? 18 A. No, I haven't. 19 Q. Have you told the federal government you think 20 you can go back to work? 21 A. They understand what the doctors are saying, that 22 I can work somewhat, so many hours and this and that. 23 Plus I do have an injury from a car 24 accident. Dr. Atkins. I had problems with my back. He</p>	<p style="text-align: right;">Page 99</p> <p>1 bulging disk in my back from the x-rays and INGS and all 2 that. There is a bulging disk in my back hitting my 3 nerves, making me a little jumpy a little bit. 4 And the doctor has presented this in front 5 of the jury. The jury gave the doctors \$5,000 and didn't 6 give me but a hundred dollars. That's on -- 7 Q. Were you represented by an attorney in that? 8 A. Yes. Mr. Larry Ramunno. 9 Q. And Mr. Ramunno filed the appeal to the Supreme 10 Court or did you? 11 A. I had to file the appeal to the Supreme Court to 12 protect my rights. 13 Q. Did you file an appeal to the Third Circuit? 14 A. No. United States Supreme Court, that's where it 15 is at now. 16 Q. How long ago was that appeal filed? 17 A. This is about four or five months ago and they 18 accepted -- what is that for appeal to Supreme Court 19 cert -- something. 20 Q. You can call it cert. 21 A. Cert. Cert. 22 Q. So they accepted cert without it ever being heard 23 by the Third Circuit? 24 A. Well, the disciplinary from the state courts, it</p>
<p style="text-align: right;">Page 98</p> <p>1 said that I can probably work so many hours. That's it. 2 I'm saying I have documentation through that. 3 Q. When was the car accident? 4 A. 2004. 5 Q. And did you sue anyone over the car accident? 6 A. Yes. And we won. 7 Q. How much did you win? 8 A. Well, sir, I'm not at liberty to tell you the 9 amount that we received. 10 Q. Was it a jury verdict or settlement? 11 A. Jury verdict. 12 Q. Then, sir, there is no confidentiality with 13 regard to a jury verdict. How much was the verdict? 14 A. Well, it was awarded for court costs, \$5,189. 15 Q. Anything else? 16 A. Plus a hundred dollars for pain and suffering. 17 And now that's still on appeal in United States Supreme 18 Court. 19 Q. Why is that on appeal? 20 A. Because the -- the jury didn't believe -- didn't 21 believe the doctors, but yet and still gave the doctors 22 \$5,189 and gave me a hundred dollars. 23 That doesn't -- doesn't work that way. Now, 24 the doctor says I got problems with my back. I got a</p>	<p style="text-align: right;">Page 100</p> <p>1 goes to Supreme Court. From the Supreme Court it goes to 2 their United States court. 3 Q. So you did, you filed this in state court? 4 A. State court. Larry Ramunno filed it in state 5 court. 6 Q. You appealed it to the state appellate court? 7 A. Yes, Supreme Court. 8 Q. Did Larry do that or did you? 9 A. Well, it was simple appeal. I did it. 10 Q. Okay. And you lost at the Supreme Court? 11 A. Yeah, because said it didn't have any -- what did 12 he say? Oh, he was saying that, he was saying it was 13 only one mention of spasm in the complaint, and here the 14 doctors listed five, six situations going on with my 15 back. 16 So I had to appeal that to Supreme Court, 17 United States, showing that I had ligaments tore in my 18 back from the x-rays and everything. The court, Supreme 19 Court never, never addressed that. They said that only 20 thing they see in here, they read one deposition from a 21 doctor, Dr. Frisco, and he said that's all he sees in 22 here is one spasm, mentioned spasms. 23 But Dr. Bandera, Dr. Atkins, Dr. King, I 24 still got problems with my back. I take medicine, pain</p>

25 (Pages 97 to 100)

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<p style="text-align: right;">Page 101</p> <p>1 pills. And Dr. Frisco and Dr. Rooney, they all said --</p> <p>2 even their own doctor, Dr. Bonner, all agreed I have</p> <p>3 something going on, bulging disk and ligaments were tore</p> <p>4 from the x-rays and everything.</p> <p>5 But yet and still, Supreme Court turn around</p> <p>6 and said they only seen one spasm, and so I had to appeal</p> <p>7 it.</p> <p>8 And then United States Supreme Court said</p> <p>9 that they accepted that information and they told me,</p> <p>10 sent me a letter, sent to the other side for telling them</p> <p>11 that this thing is going to be docketed and it is going</p> <p>12 to go, move forward.</p> <p>13 Q. Okay.</p> <p>14 A. Because I do have problems with my back.</p> <p>15 Q. Has any doctor certified you with regard to your</p> <p>16 back that you could go back to work?</p> <p>17 A. Well, my doctor, Atkins, says that I could work</p> <p>18 part-time or whatever, so many hours.</p> <p>19 Q. Based on your back?</p> <p>20 A. Based on my back.</p> <p>21 Q. And then you can only work part-time based on</p> <p>22 certain --</p> <p>23 A. Certain type of jobs.</p> <p>24 Q. Did you ever ask him if one of those jobs is at</p>	<p style="text-align: right;">Page 103</p> <p>1 So I wanted to do that. I still do. I</p> <p>2 still do. On a situation.</p> <p>3 Q. Have you contacted Social Security disability and</p> <p>4 told them you think you can go back to work so they stop</p> <p>5 making the disability payments every month?</p> <p>6 A. Well, I spoke to the doctor and the doctor is</p> <p>7 going to have to do that.</p> <p>8 Q. When is the doctor going to do that?</p> <p>9 A. I don't know yet. I got to go back to him.</p> <p>10 Right now the doctor says he can't do nothing for me</p> <p>11 because of my situation in my back. But I will go back</p> <p>12 to him if it is necessary and get a letter. I'm willing</p> <p>13 not to work on the line, not to work on the line. I want</p> <p>14 something to do on the job.</p> <p>15 All folks don't have jobs here. And it is</p> <p>16 reality. And you can check the ratio of minorities up</p> <p>17 there compared to whites. I see cars from Pennsylvania,</p> <p>18 New Jersey, Maryland. Whites. Little, one, two</p> <p>19 sprinkles of blacks. That ratio is terrible up there,</p> <p>20 you know.</p> <p>21 So bad they had to get a guy that is civil</p> <p>22 rights leader up there and I gave him the information</p> <p>23 showing by Dave Bull and his letter and comparing to</p> <p>24 this. He ain't never got back in contact with me.</p>
<p style="text-align: right;">Page 102</p> <p>1 General Motors?</p> <p>2 A. Yes. I told him I was electrician. He says -- I</p> <p>3 guess he meant any job, really. But not to do too much</p> <p>4 strenuous to my back, lower back.</p> <p>5 Q. Okay. So could you do full-time production work?</p> <p>6 A. No, I don't think I can do that.</p> <p>7 Q. Could you do full-time production work in 2005?</p> <p>8 A. In 2005 -- 2004 the accident happened. No, I</p> <p>9 couldn't. But the fact of it is I could have done other</p> <p>10 things. Driving cars. They drive. Or working behind</p> <p>11 the desk a little bit, you know. Something that the</p> <p>12 doctors can prescribe for me to do instead of doing</p> <p>13 production work. I know when I do little things around</p> <p>14 the house and yard things, like I was pulling some things</p> <p>15 the other day, my back aching, I take pain pills.</p> <p>16 Q. Do you know if they hire new employees for</p> <p>17 driving cars or are those bid jobs?</p> <p>18 A. I never even got past the phone, sir. I wish I</p> <p>19 did know.</p> <p>20 Q. So you don't know that?</p> <p>21 A. Well, the fact of it is, I didn't have the</p> <p>22 opportunity to find out. Wasn't even allowed on the</p> <p>23 premises. I called. They said, "You washed up." Hang</p> <p>24 the phone in my ear. Sorry. Hung the phone in my ear.</p>	<p style="text-align: right;">Page 104</p> <p>1 I call there constantly to the union, talk</p> <p>2 to the president. They ain't doing nothing.</p> <p>3 Our community is kind of run down trying to</p> <p>4 be built back up. And the majority are blacks, standing</p> <p>5 on the corner like you see everywhere, trying to gets</p> <p>6 jobs.</p> <p>7 You see all these nice-looking trucks come</p> <p>8 around here, boys from Pennsylvania with the confederate</p> <p>9 flags and everything on them coming riding by.</p> <p>10 By rights those jobs are supposed to be the</p> <p>11 ones to the nearest, just like they do in the city.</p> <p>12 Supposed to be to us in this community. It is not</p> <p>13 happening. It is all a mirage. All fairy tales. Oh, we</p> <p>14 hiring. Check for yourself and you see that there is a</p> <p>15 difference in ratio of hiring minorities.</p> <p>16 Yes, I want to go back to work. I'm tired.</p> <p>17 You understand me. I'm tired of living in poverty and</p> <p>18 not making it hardly. Scrounging every day. Call up to</p> <p>19 the union. I'm begging them. I want a job. I can</p> <p>20 probably drive cars. They don't even let me get on the</p> <p>21 phone to ask them if they doing any hiring or anything.</p> <p>22 They keep on saying October. Last time we hire any</p> <p>23 people, October 1999. And clearly exhibit shows that</p> <p>24 they hired people all the way from '81 all the way up</p>

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